

**CITY OF CENTRAL POINT**  
**City Council Meeting Agenda**  
**October 28, 2010**

Next Res. No. 1272  
Next Ord. No. 1941

**Central Point**  
**City Hall**  
664-3321

**City Council**

**Mayor**  
Hank Williams

**Ward I**  
Bruce Dingler

**Ward II**  
Mike Quilty

**Ward III**  
Matthew Stephenson

**Ward IV**  
Allen Broderick

**At Large**  
Carol Fischer  
Kay Harrison

**Administration**  
Phil Messina,  
City Administrator

**Community**  
**Development Director**  
Tom Humphrey, Director

**Finance Department**  
Bev Adams, Director

**Parks and Public Works**  
**Department**  
Matt Samitore,  
Interim Director

**Police Department**  
Jon Zeliff, Chief

- I. REGULAR MEETING CALLED TO ORDER – 7:00 P.M.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PUBLIC APPEARANCES**
- V. CONSENT AGENDA**
  - A. Approve minutes of October 14, 2010 Council Meeting
  - B. Surplus Firearms Donation
  - C. 1<sup>st</sup> Quarter Financial Statements
- VI. ITEMS REMOVED FROM CONSENT AGENDA**
- VII. SPECIAL PRESENTATION – Umpqua Community College – Southern Oregon Wine Institute**
- VII. PUBLIC HEARINGS, RESOLUTIONS, AND ORDINANCES**

Pgs. 1 - 2	A.	Resolution No. _____, A Resolution Endorsing and Approving a Grant Application to the Oregon Department of Transportation's Flexible Funds Program for Funding of Freeman Road Improvements (Clayton)
Pgs. 3 - 4	B.	Resolution No. _____, A Resolution Adopting Section 457 Deferred Compensation Retirement Plans to Permit Loans (Messina)
Pgs. 5 - 7	C.	Resolution No. _____, A Resolution Creating an Ad Hoc Urban Renewal Advisory Committee (Messina)
Pgs. 8 - 23	D.	First Reading, An Ordinance Amending Central Point Municipal Code Section 17.77 Accessory Dwelling Units to Provide Consistent Code Language (Clune)

- E. First Reading, An Ordinance Amending Central Point Municipal Code Chapters 16.10 Tentative Plans; 16.12 Final Plats; Chapters 17.05 Applications and Types of Review; 17.66 Planned Unit Development (PUD); 17.72 Site Plan, Landscaping and Construction Plan, and 17.76 Conditional Use Permits to provide Uniform Land Development Approval Expiration Dates and a Process for Review of Time Extension Requests (Clune)

**VIII. BUSINESS**

**IX. MAYOR'S REPORT**

**X. CITY ADMINISTRATOR'S REPORT**

**XI. COUNCIL REPORTS**

**XII. DEPARTMENT REPORTS**

**XIII. EXECUTIVE SESSION**

The City Council may adjourn to executive session under the provisions of ORS 92.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

**XIV. ADJOURNMENT**

## **CONSENT AGENDA**

**CITY OF CENTRAL POINT**  
**City Council Meeting Minutes**  
**October 14, 2010**

**I. REGULAR MEETING CALLED TO ORDER**

Council President Kay Harrison called the meeting to order at 7:00 p.m.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL:** Mayor: Hank Williams - excused  
Council Members: Allen Broderick, Carol Fischer, Kay Harrison, Mike Quilty, and Matthew Stephenson were present.  
Bruce Dingler was excused.

City Administrator Phil Messina; City Attorney Paul Nolte; Interim Parks and Public Works Director Matt Samitore; Police Lt. Chuck Newell; Police Lt. Kris Allison; Community Development Director Tom Humphrey; Assistant City Administrator Chris Clayton; and City Recorder Deanna Casey were also present.

**IV. SPECIAL PRESENTATION**

**A. Umpqua Community College – Southern Oregon Wine Institute**

No representatives were present. City Administrator Phil Messina stated that this presentation will be rescheduled for another time.

**V. PUBLIC APPEARANCES - None**

**VI. CONSENT AGENDA**

- A.** Approval of September 30, 2010, City Council Minutes.
- B.** Approval of OLCC Application for Thai Garden

**Mike Quilty made a motion to approve the Consent agenda as presented.** Allen Broderick seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kay Harrison, yes; Mike Quilty, yes; and Matthew Stephenson, yes. Motion approved.

**VII. ITEMS REMOVED FROM CONSENT AGENDA - None**

**VIII. BUSINESS**

**A. Planning Commission Report**

Community Development Director Tom Humphrey presented the Planning Commission Report for October 5, 2010.

- The Commission approved a request to remove a significant tree in Central Point East Subdivision per CPMC Section 12.36.040. The resident is adversely affected by a cottonwood tree which is positioned on his property and within the public right-of-way. The Commission found that the tree was detrimental to both the property owner and public infrastructure.
- The Commission reviewed and approved the change to proposed amendments to the Tourist and Office-Professional (C-4) Zoning District. The changes have been reviewed by Council and Planning for several months. The Commission supports the changes and directed staff to conduct a public hearing on the amendments to November.
- The Commission recommended approval of the proposed amendments to the Central Point Municipal Code to provide uniform land development approval expiration dates and a process for review of time extensions requests. A public hearing was held to consider revisions to sections 17.05; section 17.66; section 17.68; section 17.72; section 17.76 and Subdivision Sections 16.10 and 16.12. These sections have to do with uniform land development expirations with better defined time extensions.
- The Commission conducted a public hearing to consider revisions to Zoning Code Section 17.77, regarding Accessory Dwelling units. The commission recommended approval of the amendments.
- The Commission was updated on work being done to create URMA;s which will describe the land use responsibilities of the City and County for land in the new Urban Reserves. The Community Development Department will lobby for the county to preserve larger lots in the URA's to facilitate better and more comprehensive community planning in the future.

**Matt Stephenson made a motion to approve the Planning Commission report as presented.** Carol Fischer seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kay Harrison, yes; Mike Quilty, yes; and Matthew Stephenson, yes. Motion approved.

**B. Transportation Growth Management Grant East Pine Street Corridor Refinement Plan**

Community Development Director Tom Humphrey stated the city has been awarded a grant to study options for East Pine Street. At this time there is no consensus on the design for Pine Street that will accommodate multi-modal objectives as an urban downtown thoroughfare. The refinement plan will 1) objectively evaluate design options, 2) to develop a consensus on a preferred plan, and 3) to adopt a final plan for the implementation as part of the downtown's revitalization plan and the multi-modal upgrade of Pine Street.

The project is intended to serve as a catalyst for redevelopment of the downtown area as a high density, mixed-use urban center by accomplishing the following:

- 1) Evaluate and compare the advantages and disadvantages of converting Pine Street from four lanes to three by comparative and comprehensive traffic analysis.
- 2) Identify streetscape alternatives for Pine Street with the intent to increase the efficiency and availability of alternative modes of transportation.
- 3) Use consensus to develop a preferred plan and implementation strategy.
- 4) Involve the public and include input throughout the design process.

- 5) Formalize the preferred plan through approval by the City Council as part of the city Transportation Systems Plan.

The Council will be asked to appoint a Public Oversight Committee consisting of a council member, downtown merchants, chamber of commerce members, planning commission members, citizens advisory committee members, and the freight trucking industry. Tonight staff would like the council to appoint one council member and an alternate to the oversight committee.

**Matt Stephenson made a motion to appoint Mike Quilty to the Public Oversight Committee.** Carol Fischer seconded. call: Allen Broderick, yes; Carol Fischer, yes; Kay Harrison, yes; Mike Quilty, yes; and Matthew Stephenson, yes. Motion approved.

**C. Temporary Suspension of City Ordinances 9.92.010 Discharge of Firearm in City Limits and 8.04.080 Unnecessary Noise for Crater High School Homecoming**

Police Lt. Chuck Newell explained that Crater High School has submitted a special event permit for October 28<sup>th</sup> home coming. They would like the city council to authorize the suspension of Municipal Codes in regards to the noise ordinance and discharging a fire arm within the city limits. There will be public notices in order to let the surrounding neighborhood know of the events.

**Matt Stephenson made a motion to temporarily suspend the enforcement of City Ordinances 9.92.010 Discharge of Firearm in City limits and 8.04.080 Unnecessary Noise on October 28, 2010, for the Crater Homecoming Football Game.** Carol Fischer seconded. call: Allen Broderick, yes; Carol Fischer, yes; Kay Harrison, yes; Mike Quilty, yes; and Matthew Stephenson, yes. Motion approved.

**D. Approval of Engineering Services for the 3 Million Gallon Vilas Road Water Reservoir to Brown and Coldwell**

Parks and Public Works Director Matt Samitore stated that three firms submitted proposals for the 3M Gallon Vilas Road Water Reservoir project. After review of the proposals staff has decided that Brown and Coldwell is the best fit for the City of Central Point. This project will encompass several projects to help the city water issues with fire hydrants and water pressure in some areas of the city. The project will include a new master meter, crossing over Bear Creek, and removal of the reservoir at the Public Works shops.

**Mike Quilty made a motion to approve Engineering Services for the 3 Million Gallon Vilas Road Water Reservoir to Brown and Coldwell.** Matt Stephenson seconded. call: Allen Broderick, yes; Carol Fischer, yes; Kay Harrison, yes; Mike Quilty, yes; and Matthew Stephenson, yes. Motion approved.

**IX. MAYOR'S REPORT - None**

**X. CITY ADMINISTRATOR'S REPORT**

City Administrator Phil Messina reported that there will be a study session on October 25<sup>th</sup> with the Medford Water Commission to talk about their water rate increases. He will be at the IIMC Conference next week. He has also been working on evaluations.

**XI. COUNCIL REPORTS**

Council Member Mike Quilty reported that he:

- Represented the Rogue Valley at a State transportation meeting in Salem.
- Was on a talk radio show supporting the clean cities and clean vehicles.

Council Member Allen Broderick asked the staff if they would consider taking on a Crater High School intern. Staff reported that they have considered the program but currently have no office space available for an intern to work.

Council Member Matt Stephenson reported that he attended the SOREDI Board Meeting.

Council Member Carol Fischer reported that she attended a Multicultural Committee meeting and attended a meeting regarding the Duff water treatment plant.

Council Member Kay Harrison attended a Medford Water Commission meeting where they discussed water rights.

**XII. DEPARTMENT REPORTS**

Police Lt. Chuck Newell reported that:

- They have been busy with special events.
- They have been working with Central Point Elementary school regarding parking and traffic issues.
- There will be a 5K Fair City Fun Run this weekend starting and ending at Crater High School.
- They are preparing for Halloween. It should be a nice evening.
- The President will be visiting Oregon. All local police departments are on standby incase he visits the Rogue Valley.

Interim Parks and Public Works Director Matt Samitore reported that:

- Staff has been working on Pine Street to restore a sewer man hole that sunk two inches after the overlay.
- The water crew installed a new water meter at the Family Fun Center and vacated the leaking line from the Expo.
- They have started the engineering process to alleviate the flooding issue at 5<sup>th</sup> and Victoria.
- FEMA has granted a Hazard Mitigation Grant for one year. This should allow Mrs. Holte to get elevations certificates for the properties that still need them.
- Staff worked on a portion of Alder where we have had flooding issues in the past. The issue should be resolved now.

- The city was able to purchase a piece of property adjacent to the Skyrman Park. And there has been a lot of interest from outside agencies to apply for grants in order to get the park started for its intended purpose.
- The final set of park restrooms were installed in Flanagan Park. However, it was tagged by gang members when they left the area for a few minutes. The Police Department is working to find the vandals.
- Staff is working on creek maintenance and have seen signs of baby salmon in several of the small creeks in Central Point.
- There is a scare crow contest going on at Rays. If you get a chance you should go and vote for your favorite.

Assistant City Administrator Chris Clayton reported that:

- He will bring a resolution before the Council to appoint Adhoc Committee members to the Urban Renewal Committee.
- The City received a CMAQ grant to pave the parking area across from the Pilot Station. However, the County has shown interest in selling that property. If the city may not be able to use the grant for that project. We are working with the Expo to find another project in that area.
- Hunter Communications has decided to provide services to the HTCUC for free. They see this as a huge benefit to the area.

Community Development Director Tom Humphrey reported that:

- The public art panels are being installed in the downtown area. There will be six of them located in the courtyard at City Hall.
- RPS is still continuing. The county is now conducting meetings for the Cities to defend any negative feedback they received from the public meetings.

### **XIII. EXECUTIVE SESSION - None**

### **XIV. ADJOURNMENT**

Matt Stephenson moved to adjourn, Carol Fischer seconded, all said "aye" and the Council Meeting was adjourned at 8:10 p.m.

The foregoing minutes of the October 14, 2010, Council meeting were approved by the City Council at its meeting of October 28, 2010.

Dated:

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder





## Staff Report

Finance Department  
Bev Adams, Finance Director

To: Mayor & Council  
From: Bev Adams, Finance Director *BA*  
Meeting Date: October 28, 2010  
Subject: Surplus Property

### Background:

The Police Department has an accumulation of unused firearms. We are asking Council to declare the items listed below as surplus so they may be disposed of.

We have also received letters from the Butte Falls Police Department and the Lakeview Police Department of their interest in these items and asking for Council's consideration to donate those that they need for their department. (The letters and a memo from Corporal Fulmer outlining their request is attached.)

### Surplus items:

- a. Remington 870 12 Gauge Serial # W458008M
- b. Remington 870 12 Gauge Serial # A990651M
- c. Remington 870 12 Gauge Serial # W457998M
- d. Three sets of Stinger Spike Strips
- e. AKS-762 Rifle 7.62x39mm Serial #CW-15254
- f. Mossberg 500 Shotgun Serial #P158453
- g. Ruger Mini-14 .223 Serial #182-51356
- h. Ruger P90 .45 Serial #662-44258
- i. Ruger SR9 9mm Serial #330-11032
- j. Beretta 92FS 9mm Serial #BER336509Z
- k. Beretta 92 9mm Serial #B89288Z
- l. Glock 26 9mm Serial #HMX 031

### Recommended Action:

- 1) That Council declare the above listed items as surplus.
- 2) That Council approve the donation of items A through C to the Lakeview Police Dept.
- 3) That Council approve the donation of items D through L to the Butte Falls Police Dept.



Central Point Police  
155 South Second Street  
Central Point, OR 97502  
(541) 664-5578  
(541) 664-2705 (fax)  
[www.cp-pd.com](http://www.cp-pd.com)

# Memo

LT. Allison,

07-31-10

I'm requesting the following items be declared surplus items through the Central Point City Council. Upon declaration of surplus, I would like to donate the items to Butte Falls Police Department for their use.

1. Three sets of Stinger Spike Strips
2. AKS-762 Rifle 7.62x39mm Serial #CW-15254
3. Mossberg 500 Shotgun Serial #P158453
4. Ruger Mini-14 .223 Serial #182-51356
5. Ruger P90 .45 Serial #662-44258
6. Ruger SR9 9mm Serial #330-11032
7. Beretta 92FS 9mm Serial #BER336509Z
8. Beretta 92 9mm Serial #B89288Z
9. Glock 26 9mm Serial #HMX 031

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Louis B. Fulmer".

**Louis B. Fulmer**

**Corporal**

**Central Point Police Department**

**155 S. 2nd St.**

**Central Point, OR. 97502**



## BUTTE FALLS POLICE DEPARTMENT

431 Broad Street • P.O. Box 268 • Butte Falls, OR 97522 • Phone: (541) 865-3200 • Fax: (541) 865-3777

LT. Allison,

It has come to my attention that you have a few items that your department is getting ready to list as surplus.[See items listed below] I would like at this time to ask your department and City Council to donate the items to the Butte Falls Police Department. As you know we are a small department with a small budget and help from outside agency's are one of the ways I off-set the demands on my City's tax payers.

1. Three sets of stinger spike strips
2. AKS-762 Rifle 762x39mm Serial # CW-15254
3. Mossberg 500 shotgun Serial # P158453
4. Ruger Mini-14 223 Serial # 182-51356
5. Ruger P90 45 Serial # 662-44258
6. Ruger SR9 9mm Serial # 330-11032
7. Beretta 92FS 9mm Serial # BER336509Z
8. Beretta 92 9mm Serial # B89288Z
9. Glock 26 9mm Serial # HMX 031

The items I'm requesting will put long riffles along with spike strips for each vehicle. The hand guns will be issued to paid and reserve Officers.

Thanks for your consideration.

Chris Hanson  
Chief of Police  
Butte Falls Or. 97522  
541-865-3200  
chanson30677@hotmail.com



Central Point Police  
155 South Second Street  
Central Point, OR 97502  
(541) 664-5578  
(541) 664-2705 (fax)  
[www.cp-pd.com](http://www.cp-pd.com)

# Memo

LT. Allison,

08-20-10

I'm requesting the following items be declared surplus items through the Central Point City Council. Upon declaration of surplus, I would like to donate the items to Lakeview Police Department for their use.

1. Remington 870 12 Gauge Serial # W458008M
2. Remington 870 12 Gauge Serial # A990651M
3. Remington 870 12 Gauge Serial # W457998M

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Louis B. Fulmer".

Louis B. Fulmer

Corporal  
Central Point Police Department  
155 S. 2nd St.  
Central Point, OR. 97502



# LAKEVIEW POLICE DEPARTMENT

245 North "F" Street  
Lakeview, Oregon 97630  
541-947-2504



To: Central Point Police Department

From: Chief Jeffrey D. Kamp

Date: 08/16/2010

Re: Remington 870 Shotguns

Lt. Allison,

It has come to my attention that Central Point Police Department has three Remington 870 shotguns that are to be transferred to another police agency. The Lakeview Police Department would like to obtain those three shotguns to add to our inventory as we are short of shotguns at this time.

It would be greatly appreciated if Captain Fulmer of your department and Officer Scott Anderson of our department could handle the physical transfer of the shotguns, if that meets with your approval. They both work at the Oregon Police Academy in Salem and could make the transfer through that point. Once we have the shotguns in our hands, I will send you a letter indicating that the Lakeview Police Department has assumed ownership of the shotguns.

If this meets with your approval could you assign Capt. Fulmer to negotiate this transfer with Officer Scott Anderson?

Sincerely,  
Jeffrey D. Kamp

A handwritten signature in black ink that reads 'Jeffrey D. Kamp'. The signature is fluid and cursive.

Chief of Police  
Lakeview Police Department


Chief Jeffrey D. Kamp  
541-947-5828



## Staff Report

Finance Department  
Bev Adams, Finance Director

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To: Mayor & Council  
From: Bev Adams, Finance Director   
Meeting Date: October 28, 2010  
Subject: 1st Qtr Financial Statements

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### **Background:**

Attached are the 1<sup>st</sup> quarter financial statements for the three month period ending September 30, 2010.

#### ***Revenues***

General Fund - we have received \$100,000 of property taxes so far this year. The majority of the property tax revenue will begin to arrive mid-November. Other taxes – franchise, hotel/motel, cigarette, and liquor are coming in as expected.

Street Fund - state gas tax is coming in less than expected at 22% of budget.

Building Fund - revenues continue to lag although there was a small amount of building permit activity during the first quarter.

Water Fund - water sales have come in approximately 36% of budget, which is for the hot months of July, August & September. It is too early to tell if this burst in water revenues will be enough to offset the substantially reduced carryover in the water fund at June 30<sup>th</sup>. We will closely monitor water revenues (and expenses) throughout this fiscal year to determine if we must eliminate projects in order to recover a reasonable fund balance.

Stormwater fund is doing well, with revenues coming in at 22% of budget and operating expenses held to a healthy 18.6%.

#### ***Expenses***

Most departments are within their budget target of 25%, making operational adjustments as needed to keep on track. The Budget Compliance Report (Pg. 6) provides a quick overview of all department budgets, expenses year to date, and percentage of budget used. A few departments may be higher than the 25% target because there are annual payments such as association dues, insurance premiums and other expenses that are paid the first of the year that cause their budget to appear to be overspent for the period. These budgets will even out as the year progresses.

Budgeted transfers will be made in October/November, so you will see the effect of those on the 2<sup>nd</sup> quarter statements.

### **Recommended Action:**

That Council approve the 1<sup>st</sup> quarter financial statements.

**City of Central Point**  
**Council Financial Statements**  
**For period ending September 30, 2010**

Fiscal Year to date 25.00%

	2010/11 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
<b>General Fund - 10</b>				
<b>Revenues</b>				
Taxes	\$5,538,000	\$394,512	\$5,143,488	7.12%
Licenses & Fees	51,750	42,694	9,056	82.50%
Intergovernmental	390,000	57,355	332,645	14.71%
Charges for Service	981,500	237,718	743,782	24.22%
Fines and Forfeitures	165,500	45,876	119,624	27.72%
Interest Income	30,000	4,371	25,629	14.57%
Miscellaneous	103,500	39,392	64,108	38.06%
Transfers In	25,000	0	25,000	0.00%
<b>Total Revenues</b>	<b>7,285,250</b>	<b>821,918</b>	<b>6,463,332</b>	<b>11.28%</b>
<b>Expenditures by Department</b>				
Administration	706,650	145,097	561,553	20.53%
City Enhancement	167,000	33,787	133,213	20.23%
Technical Services	350,500	75,326	275,174	21.49%
Mayor & Council	72,000	28,218	43,782	39.19%
Finance	789,450	179,870	609,580	22.78%
Parks & Recreation - Parks	653,300	168,921	484,379	25.86%
Parks & Recreation - Recreation	604,250	92,302	511,948	15.28%
Planning	511,600	114,934	396,666	22.47%
Police	3,692,050	926,423	2,765,627	25.09%
Interdepartmental	120,000	68,694	51,306	57.25%
Transfers Out	100,000	0	100,000	0.00%
Contingency	150,000	0	150,000	0.00%
<b>Total Expenditures by Department</b>	<b>7,916,800</b>	<b>1,833,572</b>	<b>6,083,228</b>	<b>23.16%</b>
Net Change in Fund Balance		(1,011,654)		
Beginning Fund Balance	2,610,830	3,144,220	533,390	
Ending Fund Balance	1,979,280	2,132,566	(153,286)	

**City of Central Point**  
**Council Financial Statements**  
**For period ending September 30, 2010**

Fiscal Year to date 25.00%

	2010/11 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
<b>Street Fund - 20</b>				
<b>Revenues</b>				
Other Taxes	\$150,000	\$44,658	\$105,342	29.77%
Charges for Services	800,000	182,980	617,020	22.87%
Intergovernmental Revenue	1,827,500	137,715	1,689,785	7.54%
Interest Income	13,000	2,114	10,886	16.26%
Miscellaneous	1,000	690	310	69.00%
Transfers In	75,000	0	75,000	0.00%
<b>Total Revenues</b>	<b>2,866,500</b>	<b>368,156</b>	<b>2,498,344</b>	<b>12.84%</b>
<b>Expenditures</b>				
Operations	1,626,300	\$413,932	1,212,368	25.45%
SDC	655,200	13,294	641,906	2.03%
Contingency	150,000	0	150,000	0.00%
<b>Total Expenditures</b>	<b>2,431,500</b>	<b>427,227</b>	<b>2,004,273</b>	<b>17.57%</b>
Net Change in Fund Balance		(\$59,070)		
Beginning Fund Balance	1,165,100	1,706,616	541,516	
Ending Fund Balance	1,060,000	1,647,546	(587,546)	
<b>Housing Fund - 25</b>				
<b>Revenues</b>				
Interest Income	\$300	\$74	\$226	24.77%
Loan Principal Payments	25,000	0	25,000	0.00%
<b>Total Revenues</b>	<b>25,300</b>	<b>74</b>	<b>25,226</b>	<b>0.29%</b>
<b>Expenditures</b>				
Materials and Services	5,000	1,250	3,750	25.00%
Transfers Out	25,000	0	25,000	0.00%
<b>Total Expenditures</b>	<b>30,000</b>	<b>1,250</b>	<b>28,750</b>	<b>4.17%</b>
Net Change in Fund Balance		(\$1,176)		
Beginning Fund Balance	54,000	49,943	(4,057)	
Ending Fund Balance	49,300	48,768	533	
<b>Capital Improvement Fund - 30</b>				
<b>Revenues</b>				
Intergovernmental	\$25,000	\$0	\$25,000	0.0%
Charges for Services	60,000	21,826	38,174	36.38%
Interest Income	700	107	593	15.34%
<b>Total Revenues</b>	<b>60,700</b>	<b>21,933</b>	<b>63,767</b>	<b>36.13%</b>
<b>Expenditures</b>				
Parks Projects	43,000	441	42,559	1.03%
Parks Projects - SDC	50,000	0	50,000	0.00%
Transfers Out	0	0	0	0.00%
<b>Total Expenditures</b>	<b>93,000</b>	<b>441</b>	<b>92,559</b>	<b>0.47%</b>
Net Change in Fund Balance		21,492		
Beginning Fund Balance	59,450	73,375	13,925	
Ending Fund Balance	52,150	94,867	(42,717)	



**City of Central Point**  
**Council Financial Statements**  
**For period ending September 30, 2010**

			<i>Fiscal Year to date</i>	<b>25.00%</b>
	<b>2010/11 Budget</b>	<b>Year to Date Revenues &amp; Expenditures</b>	<b>Difference</b>	<b>Percentage Received/Used</b>
<b>Reserve Fund- 35</b>				
<b>Revenues</b>				
Transfers In	\$300,000	\$0	300,000	0.00%
<b>Total Revenues</b>	<b>300,000</b>	<b>0</b>	<b>300,000</b>	<b>0.00%</b>
Net Change in Fund Balance		0		
Beginning Fund Balance	0	0	0	
Ending Fund Balance	300,000	0	300,000	
<b>Debt Service Fund- 40</b>				
<b>Revenues</b>				
Charges for Service	\$190,000	\$47,500	\$142,500	25.00%
Interest Income	800	211	589	26.32%
Intergovernmental	162,900	0	162,900	0.00%
Special Assessments	67,000	54,776	12,224	81.76%
Transfers In	288,900	0	288,900	0.00%
<b>Total Revenues</b>	<b>709,600</b>	<b>102,486</b>	<b>607,114</b>	<b>14.44%</b>
<b>Expenditures</b>				
Debt Service	787,500	127,000	660,500	16.13%
<b>Total Expenditures</b>	<b>787,500</b>	<b>127,000</b>	<b>660,500</b>	<b>16.13%</b>
Net Change in Fund Balance		(24,514)		
Beginning Fund Balance	100,400	91,356	(9,044)	
Ending Fund Balance	22,500	66,842	(44,342)	
<b>Building Fund- 50</b>				
<b>Revenues</b>				
Charges for Service	\$170,400	\$24,723	\$145,677	14.51%
Interest Income	2,500	339	2,161	13.57%
Miscellaneous	500	0	500	0.00%
<b>Total Revenues</b>	<b>173,400</b>	<b>25,062</b>	<b>148,338</b>	<b>14.45%</b>
<b>Expenditures</b>				
Personal Services	157,300	34,605	122,695	22.00%
Materials and Services	21,600	3,703	17,897	17.15%
<b>Total Expenditures</b>	<b>178,900</b>	<b>38,309</b>	<b>140,591</b>	<b>21.41%</b>
Net Change in Fund Balance		(13,247)		
Beginning Fund Balance	255,950	232,007	(23,943)	
Ending Fund Balance	178,900	218,760	(39,860)	

**City of Central Point**  
**Council Financial Statements**  
**For period ending September 30, 2010**

Fiscal Year to date 25.00%

**Water Fund - 55**

**Revenues**

	2010/11 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
Charges for Services	\$2,827,500	\$1,011,623	\$1,815,877	35.78%
Interest Income	20,000	1,949	18,051	9.75%
Intergovernmental	0	0	0	0.00%
Miscellaneous	5,001,000	0	5,001,000	0.00%
<b>Total Revenues</b>	<b>7,848,500</b>	<b>1,013,573</b>	<b>6,834,927</b>	<b>12.91%</b>

**Expenditures**

Operations	7,542,450	704,277	6,838,173	9.34%
SDC Improvements	110,000	9,960	100,040	9.05%
Transfers Out	349,700	0	349,700	0.00%
Contingency	145,000	0	145,000	0.00%
<b>Total Expenditures</b>	<b>8,147,150</b>	<b>714,237</b>	<b>7,432,913</b>	<b>8.77%</b>

Net Change in Fund Balance

		299,336	
Beginning Fund Balance	2,352,200	1,785,826	(566,374)
Ending Fund Balance	2,053,550	2,085,161	(31,611)

**Stormwater Fund - 57**

**Revenues**

Charges for Services	\$672,250	\$173,092	\$499,158	25.75%
Interest Income	2,000	356	1,644	17.81%
Intergovernmental	96,000	0	96,000	0.00%
<b>Total Revenues</b>	<b>770,250</b>	<b>173,448</b>	<b>596,802</b>	<b>22.52%</b>

**Expenditures**

Operations	714,250	132,836	581,414	18.60%
SDC	21,000	0	21,000	0.00%
Contingency	38,000	0	38,000	0.00%
Transfers Out	18,000	0	18,000	0.00%
<b>Total Expenditures</b>	<b>791,250</b>	<b>132,836</b>	<b>658,414</b>	<b>16.79%</b>

Net Change in Fund Balance

		40,612	
Beginning Fund Balance	233,900	304,713	70,813
Ending Fund Balance	212,900	345,325	(132,425)

**City of Central Point**  
**Council Financial Statements**  
**For period ending September 30, 2010**

Fiscal Year to date 25.00%

	2010/11 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
<b>Internal Services Fund - 60</b>				
<b>Revenues</b>				
Charges for Services	\$1,135,500	\$286,662	\$848,838	25.25%
Interest Income	3,500	914	2,586	26.12%
Miscellaneous	2,600	1,195	1,405	45.97%
<b>Total Revenues</b>	<b>1,141,600</b>	<b>288,771</b>	<b>852,829</b>	<b>25.30%</b>
<b>Expenditures</b>				
Facilities Maintenance	270,000	107,302	162,698	39.74%
PW Administration	556,700	135,820	420,881	24.40%
PW Fleet Maintenance	293,000	94,651	198,349	32.30%
Contingency	25,000	0	25,000	0.00%
<b>Total Expenditures</b>	<b>1,144,700</b>	<b>337,772</b>	<b>806,928</b>	<b>29.51%</b>
Net Change in Fund Balance		(49,001)		
Beginning Fund Balance	543,790	630,750	86,960	
Ending Fund Balance	240,690	581,749	(341,059)	

**City of Central Point**  
**Budget Compliance Report**  
**For period ending September 30, 2010**

Fiscal Year to date 25.00%

		2010/11 Budget	Year to Date Expenditures	Percent Used	Difference
<b>General</b>	Administration	\$706,650	\$145,097	20.53%	\$561,553
	City Enhancement	167,000	33,787	20.23%	133,213
	Technical Services	350,500	75,326	21.49%	275,174
	Mayor and Council	72,000	28,218	39.19%	43,782
	Finance	789,450	179,870	22.78%	609,580
	Parks & Recreation - Parks	653,300	168,921	25.86%	484,379
	Parks & Recreation - Recreation	604,250	92,302	15.28%	511,948
	Community Development	511,600	114,934	22.47%	396,666
	Police	3,692,050	926,423	25.09%	2,765,627
	Interdepartmental	120,000	68,694	57.25%	51,306
	Transfers	100,000	0	0.00%	100,000
	Contingency	150,000	0	0.00%	150,000
		<b>7,916,800</b>	<b>1,833,572</b>	<b>23.16%</b>	<b>6,083,228</b>
<b>Street</b>	Operations	2,416,400	413,932	17.13%	2,002,468
	SDC Improvements	410,200	13,294	3.24%	396,906
	Contingency	145,000	0	0.00%	145,000
		<b>2,971,600</b>	<b>427,227</b>	<b>14.38%</b>	<b>2,544,373</b>
<b>Housing</b>	Materials and Services	5,000	1,250	25.00%	3,750
	Transfers	25,000	0	0.00%	25,000
		<b>30,000</b>	<b>1,250</b>	<b>4.17%</b>	<b>28,750</b>
<b>Capital Projects</b>	Park Projects	43,000	0	0.00%	43,000
	Park Projects - SDC	50,000	441	0.88%	49,559
	Transfers	0	0	0.00%	0
		<b>93,000</b>	<b>441</b>	<b>0.47%</b>	<b>92,559</b>
<b>Debt Service</b>	Debt Service	<b>787,500</b>	<b>127,000</b>	<b>16.13%</b>	<b>660,500</b>
<b>Building</b>	Personnel Services	157,300	34,605	22.00%	122,695
	Materials and Services	21,600	3,703	17.15%	17,897
	Contingency	35,000	0	0.00%	35,000
		<b>213,900</b>	<b>38,309</b>	<b>17.91%</b>	<b>175,591</b>
<b>Water</b>	Operations	7,542,450	704,277	9.34%	6,838,173
	SDC Improvements	110,000	9,960	9.05%	100,040
	Transfers	349,700	0	0.00%	349,700
	Contingency	145,000	0	0.00%	145,000
		<b>8,147,150</b>	<b>714,237</b>	<b>8.77%</b>	<b>7,432,913</b>
<b>Stormwater</b>	Operations	684,250	132,836	19.41%	551,414
	SDC Improvements	51,000	0	0.00%	51,000
	Transfers	18,000	0	0.00%	18,000
	Contingency	38,000	0	0.00%	38,000
		<b>791,250</b>	<b>132,836</b>	<b>16.79%</b>	<b>658,414</b>
<b>Internal Services</b>	Facilities Maintenance	570,000	107,302	18.82%	462,698
	PW Administration	556,700	135,820	24.40%	420,881
	PW Fleet Maintenance	293,000	94,651	32.30%	198,349
	Contingency	25,000	0	0.00%	25,000
		<b>1,444,700</b>	<b>337,772</b>	<b>23.38%</b>	<b>1,106,928</b>
<b>Total City Operations</b>		<b>\$22,395,900</b>	<b>\$3,612,644</b>	<b>16.13%</b>	<b>\$18,783,256</b>

**SPECIAL PRESENTATION**



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*Serving Douglas County Since 1964*

August 25, 2010

Phil Messina  
City of Central Point  
140 S. 3<sup>rd</sup> Street  
Central Point, OR 97502

Dear Mr. Messina,

Umpqua Community College is pleased to present this proposal for your review for a catalytic project that will change the face of southern Oregon. We look forward to partnering with the City of Central Point to provide a promising economic development opportunity at UCC as part of the Southern Oregon Wine Institute Teaching, Learning and Event Center. Southern Oregon is in the midst of an evolution from a long-standing tradition of a timber-based economy to a winery and tourism-based economy. The January 2010 edition of Sunset Magazine even predicts that southern Oregon is "the next big wine country." We wish to respond to the growing need for viticulture and enology education in southern Oregon by providing an innovative educational program that will blend industry and community involvement for a holistic approach to regional economic growth.

#### **Request**

A contribution of \$15,000 will support UCC's Southern Oregon Wine Institute as an instrument of regional economic growth to be utilized by students and burgeoning wine enterprises, and visited by community groups, organizations and the community at-large. This new facility will bring Southern Oregon together in a broad range of uses, offering business and educational services, conference space, catering capability, state-of-the-art technology and spectacular views of the North Umpqua River.

We appreciate the City of Central Point taking an interest in the success of our community. If you require any further information or have any questions regarding this proposal, please do not hesitate to contact me at (541) 440-7678.

Sincerely,

A handwritten signature in cursive script that reads "Blaine Nisson".

Blaine Nisson, EdD  
President, Umpqua Community College

# **FUNDING OF FREEMAN ROAD IMPROVEMENTS**

City of Central Point, Oregon  
140 S 3rd Street, Central Point, OR 97502  
541.664.3321 Fax 541.664.6384  
[www.centralpointoregon.gov](http://www.centralpointoregon.gov)



Administration Department  
Phil Messina, City Administrator  
Chris Clayton, Assistant City Administrator  
Deanna Casey, City Recorder  
Barb Robson, Human Resources Manager

**STAFF REPORT**  
**October 14, 2010**

**ITEM:**

A Resolution Endorsing and Approving a Grant Application to the Oregon Department of Transportation's Flexible Funds Program for Funding of Freeman Road Improvements. **Applicant: City of Central Point**

**STAFF SOURCE:**

Chris Clayton, Assistant City Administrator

**BACKGROUND:**

Freeman Road is an important component of Central Point's transportation infrastructure. Currently, Freeman Road is narrow with only two-lanes and no sidewalks or bicycle lanes. This project will improve the roadway from Hopkins Road in the south to Mountain View Plaza in the north to collector street standards. If funded, project improvements will include the complete reconstruction of the street with a new three-lane roadway section, bicycle lanes, curb and gutter and five foot wide sidewalks. New storm drainage facilities will also be installed and the existing culvert carrying Mingus Creek under Freeman Road will be replaced.

Traffic analyses and impact studies have been completed as well as the designs for the improvements. An open house was held on September 26, 2006 to obtain input and comments from local residents. The Citizens Advisory Committee met on October 10, 2006, and was presented with options and selected one to be forwarded to City Council.

Total grant funds requested will be approximately \$1,768,847. There is a 10.27% local match requirement which will be approximately \$202,453.

**ATTACHMENTS:**

A. Resolution

**ACTION:**

Consideration of the Resolution.

**RECOMMENDATION:**

Approve the Resolution.



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ENDORSING AND APPROVING A GRANT APPLICATION TO THE  
OREGON DEPARTMENT OF TRANSPORTATION'S FLEXIBLE FUNDS  
PROGRAMS FOR FUNDING OF FREEMAN ROAD IMPROVEMENTS**

WHEREAS, the Oregon Department of Transportation's ("ODOT") Flexible Funds program provides support to help create livable and sustainable communities where multimodal transportation facilities, services and programs provide safe, comfortable and convenient options that support active living; and

WHEREAS, a goal of the City of Central Point's ("City") Strategic Plan is to promote a pleasant and safe street environment that is characterized by ease of use for pedestrians and those in vehicles accessing our business; and

WHEREAS, a stated goal of the City's Transportation System Plan is to place a higher priority on funding and constructing street projects that address identified vehicular, bicycle, and pedestrian safety problems than those projects that solely respond to automotive capacity deficiencies in the street system; and

WHEREAS, the City wishes to respond to the concerns of its citizens, business owners, local and state officials and come together to develop and implement innovative design solutions that will promote safety and improve connectivity on Freeman Road;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL POINT, OREGON that the City Administrator is hereby authorized and directed to apply for ODOT's Flexible Funds Program assistance from the state and to act on the City's behalf in all matters pertaining to this application.

Passed by the Council and signed by me in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Representative

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Mayor Hank Williams

# **CHANGES TO DEFERRED COMPENSATION PLAN**



**City Administrator Staff Report**

**MEETING DATE: October 28, 2010**

**TO:** Honorable Mayor and City Council

**FROM:** Phil Messina, City Administrator

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**SUBJECT: Changes to the Deferred Compensation Plan**

**SUMMARY:** A number of city employees are enrolled in deferred compensation plans. These plans are employee-contribution only, the City does not contribute to them. This item is a "Housekeeping" one that allows two changes to the Deferred Compensation plans.

The Pension Protection Act of 2006 changed some provisions of IRS Chapter 457 Deferred Compensation Plans.

The first change allows a retired public safety officer to withdraw, tax-free up to \$3000 annually to use for the cost of qualified medical insurance premiums.

The second change is a provision for the employee to take out a loan from their deferred compensation account. The loan must be paid back within five years, with interest. Only one loan at a time may be taken out by the employee.

The City has three deferred compensation plans - Hartford, Valic and ICMA. The proposed changes are for all three plans.

**RECOMMENDATION:**

**Motion to approve Resolution No. \_\_\_\_\_ to make changes to the City's Deferred Compensation plans per the Pension Protection Act of 2006.**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING SECTION 457 DEFERRED COMPENSATION  
RETIREMENT PLANS TO PERMIT LOANS**

**WHEREAS**, the City of Central Point is an employer described in Internal Revenue Code (Code) section 457(e)(1)(A) (a State, political subdivision of a State, and any agency or instrumentality of a State or political subdivision of a State);

**WHEREAS**, the City of Central Point is responsible under the Plans for approval of all requests for loans:

**WHEREAS**, the City of Central Point desires that Hartford, ICMA and VALIC process loan requests in accordance with loan processing procedures based on the information provided by the participant;

**WHEREAS**, the City of Central Point desires the deferred compensations plans permit the tax free distribution of up to \$3,000 annually for payment of qualifying insurance premiums for eligible retired public safety officers, with payments made to specified insurance companies,

**NOW, THEREFORE**, the City of Central Point and Hartford, ICMA and VALIC hereby agree effective as of the date of the last signature hereto as follows:

The City of Central Point having determined loan procedures to be consistent with the terms of the Plans and Section 72(p) of the Code, adopts such procedures and delegates the ministerial processing function to Hartford, ICMA and VALIC and directs Hartford, ICMA and VALIC to process loans in accordance with the provisions of the Annuity Contract Non-ERISA Loan Endorsement, the Plan and the Non-ERISA Loan Application and Agreement based on the information provided by the participant in the Loan Agreement.

***Passed by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of October, 2010.***

\_\_\_\_\_  
**Mayor Hank Williams**

**ATTEST:**

\_\_\_\_\_  
**City Recorder**

***Approved by me this \_\_\_\_\_ day of October, 2010***

\_\_\_\_\_  
**Mayor Hank Williams**

# **URBAN RENEWAL FEASIBILITY**

## INTEROFFICE MEMO



### Administration Department

Phil Messina, City Administrator  
Chris Clayton, Assistant City Administrator  
Deanna Casey, City Recorder  
Barb Robson, Human Resources Manager

TO: Central Point City Council

FROM: Administration

SUBJECT: Urban Renewal Feasibility Ad-Hoc Committee Resolution

DATE: October 14<sup>th</sup>, 2010

In an effort to explore the feasibility of a Central Point Urban Renewal Plan/District, the City Council has directed staff to establish a Central Point Urban Renewal Ad-Hoc Committee. Staff has prepared an Urban Renewal Ad-Hoc Advisory Resolution that implements the following:

- Creates a seven member committee consisting of three City Council members and four Central Point citizens.
- Allows the City Administrator to appoint staff to advise the committee.
- Requires the committee to provide the council a written recommendation regarding the use of urban renewal within a four month window.
- Defines a variety of procedural requirements for the Urban Renewal Ad-Hoc Committee.

Attached:

1. A RESOLUTION CREATING AN AD HOC URBAN RENEWAL ADVISORY COMMITTEE

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION CREATING AN AD HOC  
URBAN RENEWAL ADVISORY COMMITTEE

The City of Central Point resolves:

**Section 1. Established.** The Central Point Urban Renewal Advisory Committee is established as an ad hoc committee to make recommendations to the city council whether there is a need for an urban renewal agency to function within the city.

**Section 2. Membership.**

- A. The committee shall consist of three city council members and four members of the public who shall be selected through an open public process and formally appointed by the mayor with the approval of the city council. Appointments shall be for the duration of the Ad-Hoc Committee process.
- B. All members must be residents of the City of Central Point.
- C. The city administrator or designee shall appoint city staff to act in a nonvoting, advisory capacity to the committee.
- D. The mayor shall appoint three members of the city council to serve on the Ad-Hoc committee.
- E. Any vacancy on the committee shall be filled by the city council for the unexpired term of the member creating the vacancy.

**Section 3. Powers and Duties.**

- A. The committee shall be advisory to the city council to assist the council in the evaluation of urban renewal as an economic development tool.
- B. The committee shall within four months provide to the council a written recommendation regarding the use of urban renewal. The recommendation shall identify and evaluate opportunities, issues and problems relating to the implementation of urban renewal within the city.

**Section 4. Meetings.**

- A. The committee members shall adopt rules of procedure and establish regular meeting times.
- B. All citizens attending committee meetings shall be entitled to express opinions or offer additional information pertaining to any matter being heard by the committee, subject only to reasonable rules to be established by the time limitations and orderly procedures for the conduct of meetings.
- C. Special meetings may be called in the case of an emergency or critical conditions which warrant the same.
- D. All meetings shall be duly and regularly advertised as required by law.

- E. A register of attendance will be made available for citizens to sign at each meeting.
- F. Recommendations and other actions of the committee may be adopted by a simple majority of the committee members in attendance at the meeting where the matter is discussed.
- G. The chairperson will prepare an agenda for each meeting, which will be prominently posted at the City Hall at least one week prior to the meeting.

**Section 5. Chairperson--Removal of Members.**

- A. The chairperson shall be selected by the committee at large at its initial meeting. The chairperson shall be a voting member. The committee chair will have the responsibility of reporting to the city council on a regular basis.
- B. Any member of the committee may be removed by the mayor, with the approval of the council, for misconduct or nonperformance of duty. A member who is absent from three consecutive meetings without an approved absence from the chairperson is presumed to be in nonperformance of duty and may be replaced by the mayor and council.

**Section 6. Staff Services.** The city administrator shall provide such staff and consultation services to the committee as shall be appropriate. A record shall be kept of committee proceedings. The official minutes of the committee shall be maintained in the city recorder's office.

**Section 7. Compensation.** Committee members shall receive no compensation other than expenses as authorized by the city administrator or mayor and council.

**Section 8. Sunset.** The committee shall automatically be dissolved and this resolution shall be of no force and effect after the committee submits its written recommendation to the council as provided in Section 3.

Passed by the Council and signed by me in authentication of its passage this \_\_\_\_\_ day of October, 2010.

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Recorder

Approved by me this \_\_\_\_ day of October, 2010.

\_\_\_\_\_  
Mayor Hank Williams



## **CPMC CODE CHANGES - ADUs**



## STAFF REPORT

October 28, 2010

### **AGENDA ITEM: File No. 11002**

Consideration of proposed Central Point Municipal Code amendments to Section 17.77, Accessory Dwelling Units (ADU) to make language consistent with the Public Works Department Chapter 13, Water Rates and Regulations standards. **Applicant: City of Central Point**

### **STAFF SOURCE:**

Connie Clune, Community Planner

### **BACKGROUND:**

In response to the City of Central Point City Council approved Central Point Municipal Code (CPMC) text changes to Section 13.04.100, Water Rates and Regulations (by Ordinance No. 1939), the adopted water regulation standard provides for one meter to serve both the primary dwelling and the accessory dwelling unit. The proposed amendment to Section 17.77, Accessory Dwelling Units (ADU), support the Public Works change and specifies the application for an ADU as a Type I review procedure (see Attachment A).

### **ATTACHMENTS:**

Attachment A - Chapter 17.77 Accessory Dwelling Units (ADU)  
Attachment B - Planning Commission Resolution No. 774  
Attachment C - City Council Ordinance No.1939  
Attachment D - Findings  
Attachment E - Ordinance No. \_\_\_\_\_

### **ACTION:**

Approve and move to a second reading Ordinance No. \_\_\_\_\_, text amendments to the Central Point Municipal Code, Section 17.77, Accessory Dwelling Units (File: 11002).

### **RECOMMENDATION:**

Approve and move to a second reading Ordinance No. \_\_\_\_\_, as recommended by the Planning Commission.

## ATTACHMENT A

### Chapter 17.77

#### ACCESSORY DWELLING UNITS (ADU)

##### Sections:

17.77.005 Purpose.

17.77.010 Permitted in residential districts, R-L and R-1.

17.77.020 Provisions for water and sewer.

17.77.030 Only one accessory dwelling unit per single-family dwelling.

#### 17.77.040 General provisions.

- A. ADUs shall be permitted as second dwelling units that are added to or created within or on the same lot as a single-family dwelling.
- B. All housing and building codes and standards shall be applicable to all ADUs including, but not limited to, the building code, the plumbing code, the electrical code, the mechanical code, the fire code, and all requirements of the city of Central Point.
- C. ~~ADUs, whether attached or detached, that are added to or created within single-family dwellings shall~~ are not be required to have separate independent utility connections; ~~however, ADUs that are detached from the single-family dwelling to which they are accessory shall have separate independent utility connections and solid waste collection.~~
- D. The gross floor area of an accessory dwelling unit shall contain no more than thirty-five percent of the gross floor area of the main dwelling in existence prior to the construction of the accessory dwelling unit or eight hundred square feet, whichever is less.
- E. No subdivision of land, air rights or condominium is allowed so as to enable the sale or transfer of the accessory dwelling unit independently of the main dwelling unit or other portions of the property.
- F. All ADUs shall be designed to maintain the appearance of the single-family dwelling to which they are accessory. If an ADU extends beyond the current footprint of the single-family dwelling it must be consistent with the existing roof pitch, siding and windows of the single-family dwelling. If a separate entrance door is provided, it must be located either off the rear or side of the single-family dwelling. Any additions to an existing structure or building shall not exceed the allowable lot coverage or encroach into the required setbacks.
- G. All ADUs which are attached to a single-family dwelling shall have a separate entrance for the accessory dwelling unit, but it shall not be located on the front of the existing building.

H. At least one off-street parking space shall be provided for each ADU in addition to the off-street parking spaces required for the single-family dwelling.

I. All ADUs shall have separate street addresses that are visible from the street and that clearly identify the location of the ADU. (Ord. 1884 (part), 2006).

**17.77.050 Special provisions.**

A. The owner or contract purchaser of record of the single-family dwelling to which an ADU is accessory shall reside either in the single-family dwelling or the ADU as a permanent place of residence and shall not be permitted to rent or lease the same. The ownership of ADUs may not be separated from ownership of the single-family dwelling to which they are accessory.

B. No home occupations, day care centers or adult foster homes shall be permitted in ADUs or in single-family dwellings to which they are accessory. (Ord. 1884 (part), 2006).

**17.77.060 Permit--Fee--Application--Inspection.**

A. No ADU may be added to, created within, or constructed upon the same lot as a single-family dwelling without a permit therefore, issued by the planning department. ADU permits shall be processed as a Type I land use application.

B. All applications for ADU permits shall be on forms provided by the planning department, and the fee for such permit shall be as provided in the building code.

C. Before any permit for the creation or construction of an ADU is granted, the proposed site thereof and the plans and specifications therefore shall be inspected by the building official to assure that the provisions of this chapter are not violated. (Ord. 1884 (part), 2006).

**17.77.070 ADUs Detached from single-family dwelling--Special.**

The following provisions shall be applicable to detached ADUs:

A. Water, sewer and solid waste collection ~~shall~~ may be by way of connections and service that is completely separate, apart and independently metered from the single-family dwelling to which such ADU is accessory-, or by other means approved by the public works department.

B. All detached ADUs shall comply with all setback and separation requirements for detached accessory buildings except that the minimum rear yard setback shall be ten feet.

C. Detached ADUs shall be designed in such a manner as to blend with or complement the architectural design of the single-family dwelling to which such ADU is accessory; approval of such design shall be made by the appeal board of adjustment.

D. Detached ADUs shall share the same hard-surfaced driveway as the single-family dwelling to which such ADU is accessory, and shall have direct access to the street upon which the single-family dwelling fronts, or take access from an alley. No new or additional curb cuts shall be permitted for the ADU, except on corner lots where a new curb cut will be allowed on the street frontage having no existing curb cut.

E. Detached ADUs shall have a minimum of twenty-five feet of unobstructed street frontage with no intervening structures to ensure adequate visibility and access for emergency vehicles. (Ord. 1884 (part), 2006).

PLANNING COMMISSION RESOLUTION NO. 774**A RESOLUTION OF THE PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO CONSIDER AMENDMENTS TO MUNICIPAL CODE TITLE 17 SECTION 17.77, ACCESSORY DWELLING UNITS (ADUs)**

(File No: 11002)

**WHEREAS**, on September 7, 2010, with the adoption of Council Ordinance No. 1939, the Planning Commission of the City of Central Point, in a public meeting declared the need to amend Section 17.77, Accessory Dwelling Units, and determined that the amendments as proposed were in the public interest and that the general welfare of the public will benefit by the proposed amendment; and

**WHEREAS**, on October 5, 2010 the Planning Commission, held a public hearing to consider public testimony on the proposed amendments; and

**WHEREAS**, after reviewing the requested proposal and considering public testimony it is the determination of the Planning Commission that the proposed amendments as set forth in Planning Department Staff Report (Exhibit "A") dated October 5, 2010 are minor adjustments that do not alter, or otherwise modify the uses and character of development and land use within the City of Central Point, and is therefore determined to be consistent with all of the goals, objectives, and policies of the City's Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Central Point, Oregon that the amendments as set forth in Exhibit "A" be forwarded to the City Council with a recommendation that the City Council favorably consider amending the City of Central Point Municipal Code as specifically set forth in the attached Exhibit "A".

Passed by the Planning Commission and signed by me in authentication of its passage this 5th day of October, 2010.

*Charles E. Diland*  
Planning Commission Chair

ATTEST:

*Bidi Thomas*  
City Representative

Approved by me this 5th day of October, 2010.

*Charles E. Diland*  
Planning Commission Chair

Planning Commission Resolution No. 774 (10/5/2010)

ORDINANCE NO. 1939

AN ORDINANCE AMENDING CHAPTER 13.04.100 PERTAINING TO  
THE AMOUNT OF WATER METERS PER  
SEPARATE BUILDINGS

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO ORDAIN AS  
FOLLOWS:

**Section 1.** Chapter 13.01.100 amends the ordinance pertaining to the allowed uses for one meter to read as follows:

**CHAPTER 13.04**

**WATER RATES AND REGULATIONS**

**Section:**

**13.04.100      Separate buildings**

13.04.100 Separate buildings: ~~In no case shall two or more buildings be connected to a single water service with a single meter.~~ Multiple water meters to a single building are discouraged, but under special circumstances multiple water meters to a single building may be allowed with written permission from the public works director or his/her designee. ***One water meter shall be allowed to serve one parcel for the purpose of providing water to the main dwelling and an accessory structure.***

Passed by the City Council and signed by me in authentication of its passage this  
9<sup>th</sup> day of September, 2010.

  
Mayor Hank Williams

ATTEST:

  
City Recorder

Approved by me this 9<sup>th</sup> day of September, 2010

  
Mayor Hank Williams

**FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW  
File No: 11002**

**INTRODUCTION**

The text amendment to Section 17.77, Accessory Dwelling Units (ADUs) is language to conform to the adopted code change to the Public Works water regulation standards, Section 13.04.100.

These findings are prepared in four (4) parts to address the statewide planning goals, the applicable elements of City's Comprehensive Plan, public facilities and the Transportation Planning Rule as required by CPMC 17.05.500 and 17.10.600.

**PART 1 CPMC LEGISLATIVE AMENDMENT**

**17.10.200 Legislative amendments.**

*Legislative amendments are policy decisions made by city council. They are reviewed using the Type IV procedure in Section 17.05.500 and shall conform to the statewide planning goals, the Central Point comprehensive plan, the Central Point zoning ordinance and the transportation planning rule provisions in Section 17.10.600, as applicable.*

**Finding:** By Ordinance No. 1939, the City of Central Point City Council approved Central Point Municipal Code (CPMC) text changes to Section 13.04.100, Water Rates and Regulations. The adopted standard provides for a single meter to serve the main dwelling and an accessory dwelling. The amendment to Section 17.77 of the CPMC is to conform to the adopted water regulation standards and to provide for a Type I, Administrative review for an Accessory Dwelling application. The amendment is reviewed as a Legislative amendment using the Type IV procedure in conformance with Section 17.10.200.

**Conclusion:** A text amendment is reviewed as a Type IV, Legislative decision.

**17.05.500 Type IV procedure (legislative).**

*G. Decision-Making Criteria. The recommendation by the planning commission and the decision by the city council shall be based on the following factors:*

- 1. Whether the request is consistent with the applicable statewide planning goals;*
- 2. Whether the request is consistent with the comprehensive plan; and*
- 3. If the proposed legislative change is particular to a particular site, the property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*



## **PART 2 STATEWIDE PLANNING GOALS:**

**17.05.500 G. 1.** *Whether the request is consistent with the applicable statewide planning goals;*

**GOAL 1. CITIZEN INVOLVEMENT** - *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

**Finding, Goal 1:** The proposed text amendment does not enhance, or detract, from citizen participation in the City's planning process. A duly noticed public hearing is scheduled for October 5, 2010 to review the proposed text amendment.

**Conclusion, Goal 1:** Consistent.

**GOAL 2. LAND USE PLANNING** - *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Finding Goal 2:** Element I of the Central Point Comprehensive Plan addresses the Goal 2 requirement that plans and implementing ordinances be revised on a periodic cycle to take into account changing public policies, community attitudes and other circumstances; as such the proposed code amendment provides a process and policy framework as a basis for land use decisions.

**Finding Goal 2:** The proposed text amendment is in accordance with CPMC Section 17.10.200 and therefore does not modify or otherwise affect the City's planning process as set forth in the Comprehensive Plan. The proposed text amendment serves to clarify current code language by providing conformity with the Public Works water regulation standards, Section 13.04.100.

**Conclusion Goal 2:** Consistent.

**Goal 3. AGRICULTURAL LANDS** - *To preserve and maintain agricultural lands.*

**Finding Goal 3:** The proposed text amendment does not involve, or otherwise affect lands designated for agricultural use.

**Conclusion Goal 3:** Not applicable.

**Goal 4. FOREST LANDS** - *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

**Finding, Goal 4:** The proposed text amendment does not involve, or otherwise affect lands designated for forest use.

**Conclusion, Goal 4:** Not applicable.

**GOAL 5. OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES** - *To protect natural resources and conserve scenic and historic areas and open spaces.*

**Finding Goal 5:** The proposed text amendment does not involve, or otherwise affect lands designated as natural, scenic, or historic resources.

**Conclusion Goal 5:** Not applicable.

**GOAL 6 AIR, WATER, AND LAND RESOURCES QUALITY** - *To maintain and improve the quality of the air, water and land resources of the state.*

**Finding Goal 6:** The proposed text amendment does not involve, or otherwise affect regulations managing the quality of air, water and land resources.

**Conclusion Goal 6:** Not applicable.

**GOAL 7. AREAS SUBJECT TO NATURAL HAZARDS AND DISASTERS** - *To protect people and property from natural hazards.*

**Finding Goal 7:** The proposed text amendment does not involve, or otherwise affect regulations protecting the citizens of Central Point from natural hazards

**Conclusion Goal 7:** Consistent.

**GOAL 8. RECREATION NEEDS** - *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Finding Goal 8:** The proposed text amendment does not involve, or otherwise affect the City's provision of necessary recreational facilities.

**Conclusion Goal 8:** Not applicable.

**GOAL 9. ECONOMY OF THE STATE** – *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Finding Goal 9:** The proposed text amendment does not alter the City's provision of adequate economic opportunities. The proposed text amendment serves to provide consistency with Title 13 of the CPMC standards specifically for the number of water meters necessary for single family and an accessory dwelling.

**Conclusion Goal 9:** Consistent.

**GOAL 10. HOUSING** – *To provide for the housing needs of citizens of the state.*

**Finding Goal 10:** The proposed text amendment does not involve, or otherwise affect regulations that address the City's housing needs.

**Conclusion Goal 10:** Consistent.

**GOAL 11. PUBLIC FACILITIES AND SERVICES** – *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Finding Goal 11:** The proposed text amendment does not involve, or otherwise affect the City's provision of timely, orderly and efficient public facilities and services. The proposed text amendment does not cause an increase in the demand for public facilities. Water service is available within the City.

**Finding Goal 11:** The text amendment to Section 17.77, Accessory Dwelling Units provides for conformity to the recent amendment to the Public Works Department water regulation, Section 13.04.100 to allow one water meter to serve both the primary dwelling and the accessory dwelling unit.

**Conclusion Goal 11:** Consistent.

**GOAL 12. TRANSPORTATION** – *To provide and encourage a safe, convenient and economic transportation system.*

**Finding Goal 12:** The proposed text amendment does not involve, or otherwise affect the City of Central Point Transportation System Plan or modify CPMC Section 17.05.900, Traffic impact analysis.

**Conclusion Goal 12:** Consistent.

**GOAL 13 ENERGY** – *To conserve energy.*

**Finding Goal 13:** The proposed text amendment does not involve, or otherwise affect and development standards or regulations that address conservation of energy.

**Conclusion Goal 13:** Not applicable.

**GOAL 14. URBANIZATION** - *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Finding Goal 14:** The proposed text amendment does not involve, or otherwise affect, regulations addressing and regulating the transition from rural to urban lands.

**Conclusion Goal 14:** Not applicable.

**GOAL 15. WILLAMETTE GREENWAY** - *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

**Finding Goal 15:** The proposed text amendment does not involve, or otherwise affect the Willamette River or Willamette River Greenway.

**Conclusion Goal 15:** Not applicable.

**GOAL 16. ESTUARINE RESOURCES** - *To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

**Finding Goal 16:** The proposed text amendment does not involve, or otherwise affect estuaries and associated wetlands.

**Conclusion Goal 16:** Not applicable.

**GOAL 17. COASTAL SHORELANDS** - *To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.*

**Finding Goal 17:** The proposed text amendment does not involve, or otherwise affect coastal shorelands.

**Conclusion Goal 17:** Not applicable.

**GOAL 18. BEACHES AND DUNES** - *To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

**Finding Goal 18:** The proposed text amendment does not involve, or otherwise affect coastal beach or dune areas.

**Conclusion Goal 18:** Not applicable.

**GOAL 19. OCEAN RESOURCES** - *To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*

**Finding Goal 19:** The City of Central Point is not adjacent to, or near the ocean. The proposed text amendment does not involve, or otherwise affect marine resources and marine ecological functions.

**Conclusion Goal 19:** Not applicable.

### **PART 3 CITY OF CENTRAL POINT COMPREHENSIVE PLAN**

**17.05.500 (G) (2)(m)** *The request is consistent with the Central Point comprehensive plan;*

**Finding:** The amendment to Section 17.77 is consistent with CPMC Section 13.04 and the comprehensive plan. The amendment serves to provide clear and measurable standards with ADUs request procedure listed as a Type I, Administrative review.

**Conclusion:** Consistent

#### **1. Transportation**

**Finding:** The City of Central Point Transportation System Plan 2030 (TSP) replaces Chapter XI, Circulation/Transportation of the Comprehensive Plan. The TSP provides an inventory of the City's existing transportation system, including street standards. This element of the Comprehensive Plan addresses Statewide Planning Goal 12, Transportation.

**Finding:** The proposed text amendment will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities.

**Conclusion:** Consistent

### **PART 4 TRANSPORTATION PLANNING RULE**

**17.10.600 Transportation planning rule compliance.**

**Section 660-012-0060(1)** *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- a) Change the functional classification of an existing or planned transportation facility;*
- b) Change standards implementing a functional classification system; or*
- c) As measured at the end of the planning period identified in the adopted transportation system plan:*
  - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

**Finding 660-012-0060(1)(a):** The proposed text amendment serves to provide CPMC consistency, review process and measurable code standards. The proposed text amendment will not cause any changes to the functional classification of any existing or planned transportation facilities.

**Conclusion 660-012-0060(1)(a):** No significant affect.

**Finding 660-012-0060(1)(b):** The proposed text amendment serves to maintain the density standard of residential property consistent with the Comprehensive Plan. The proposed text amendment will not cause a change to standards implementing the City's transportation system.

**Conclusion 660-012-0060(1)(b):** No significant affect.

**Finding 660-012-0060(1)(c)(A):** The proposed text amendment will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities.

**Conclusion 660-012-0060(1)(c)(A):** No significant affect.

**Finding 660-012-0060(1)(c)(B):** The proposed text amendment will not cause a reduction in the performance of any existing or planned transportation facilities below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.

**Conclusion 660-012-0060(1)(c)(B):** No significant affect.

**Finding 660-012-0060(1)(c)(C):** The proposed text amendment will not cause the worsening of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.

**Conclusion 660-012-0060(1)(c)(C):** No significant affect.

**Summary Conclusion:** As proposed, the text amendment is in conformance with the acknowledged Comprehensive Plan, Transportation System Plan and Central Point Municipal Code.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 17.77 ACCESSORY DWELLING UNITS (ADU) OF THE CENTRAL POINT MUNICIPAL CODE TO PROVIDE CONSISTENT CODE LANGUAGE**

**RECITALS:**

A. Pursuant to the requirements set forth in CPMC Sections 17.05 and 17.10, the City has conducted the following duly advertised public hearings to consider proposed amendments:

1. Planning Commission hearing on October 5, 2010.
2. City Council hearing on October 28, 2010.

B. At the public hearing on October 28, 2010, the City Council reviewed the staff report, received the findings of the Central Point Planning Commission, and received public testimony from all interested persons. Based upon all of the information received, the City Council adopts the findings and conclusions set forth in the staff report dated October 28, 2010, and based upon the same, the City Council finds that there is sufficient public need and justification for the proposed text amendments.

C. The City Administrator is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the changes to the municipal code.

D. Words ~~lined through~~ in the following ordinance are to be deleted and words in **bold** are added.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

Section 1. Subsection C of Section 17.77.040 of the Central Point Municipal Code is amended to read:

~~C. ADUs, whether attached or detached, that are added to or created within single-family dwellings shall be not be required to have separate independent utility connections.; however, ADUs that are detached from the single-family dwelling to which they are accessory shall have separate independent utility connections and solid waste collection.~~

Section 2. Subsection A of Section 17.77.060 of the Central Point Municipal Code is amended to read:

A. No ADU may be added to, created within, or constructed upon the same lot as a single-family dwelling without a permit therefore, issued by the planning department. **ADU permits shall be processed as a Type I land use application.**



Section 3. Section 17.77.070 of the Central Point Municipal Code is amended to read:

17.77.070 **ADUs** Detached from single-family dwelling--Special.

The following provisions shall be applicable to detached ADUs:

A. Water, sewer and solid waste collection ~~shall~~ **may** be by way of connections and service that is completely separate, apart and independently metered from the single-family dwelling to which such ADU is accessory-, **or by other means approved by the public works department.**

**PASSED** by the City Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Representative

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Hank Williams

2 – Ordinance No. \_\_\_\_\_

**CPMC CODE CHANGES –  
UNIFORM EXPIRATION DATES**



## STAFF REPORT

October 28, 2010

### **AGENDA ITEM: File No. 11001**

Consideration of proposed Central Point Municipal Code amendments to provide uniform land development approval expiration dates and a process for review of time extension requests.

**Applicant: City of Central Point**

### **STAFF SOURCE:**

Connie Clune, Community Planner

### **BACKGROUND:**

The Planning Commission directed staff to draft code amendments to resolve the inconsistencies concerning expiration dates for land use applications and to provide an extension request process. In the CPMC, there are differing expiration dates for the various types of land use applications, as well as ambiguities related to time extensions allowed for the different types of applications. The proposed Chapters 16 and 17 amendments (Attachments A and B) provide a uniform one (1) year expiration date for all applications. The procedure for time extension applications is defined as a Type I (Administrative) process reviewed by the community development director. Also included is a correction on Table 17.05.1, Final Plat. This is a clerical (typographic) error and should read as a Type I review. The time extension review criteria are based on a demonstration that the project remains compliant with the Comprehensive Plan or Land Development Code.

### **ATTACHMENTS:**

Amendment Summary

Attachment A - Proposed CPMC Amendments for extension procedure:

1. Chapter 17.05 Applications and Types of Review, Section 17.05.200 (E) Type I procedure
2. Chapter 17.66 Application Review Process for the TOD District and Corridor, Section 17.66.070
3. Chapter 17.68 Planned Unit Development (PUD), Section 17.68.05 – 17.68.70
4. Chapter 17.72 Site Plan, Landscaping and Construction Plan, Section 17.72.070
5. Chapter 17.76 Conditional Use Permit, Section 17.76.060

Attachment B - Title 16, Tentative Plans and Final Plats Amendments for extension procedure:

1. Chapter 16.10 Tentative Plans, Section 16.10.80 – 16.10.091
2. Chapter 16.12 Final Plats, Section 16.12.010 – 16.12.060

Attachment C - Findings

Attachment D - Planning Commission Resolution 773

Attachment E - Ordinance No. \_\_\_\_\_

**ACTION:**

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Approve and move to a second reading Ordinance No. \_\_\_\_\_, text amendments to the Central Point Municipal Code, Title 16 and Title 17, Sections 16.10; 16.12; 17.05; 17.66; 17.68; 17.72; and 17.76 to provide a uniform land development approval expiration date and extension request process (File: 11001).

**RECOMMENDATION:**

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Approve and move to a second reading Ordinance No. \_\_\_\_\_, as recommended by the Planning Commission.



## AMENDMENT SUMMARY

The following table provides a summary of the code text amendments that will apply a uniform, one (1) year application approval and a procedure for time extension requests for land use and subdivision applications. The proposed text amendment to Section 17.77, Accessory Dwelling Units is in response to text changes for the city water regulations and to prevent conflicts within the municipal code. This group of proposed text amendments (Files: 11001 and 11002) can be reviewed separately from the other group of amendments under discussion.

CPMC Section	Title	Change / Amendment	Current text
<b>Ch. 17.05</b>			
<b>Table</b>	Table Summary of	Type I	no process
<b>17.05.1</b>	Approvals by Type:		
<b>§17.05.100</b>	Extension Request		
<b>Table</b>	Table Summary of	Should be Type I: clerical error	Type II
<b>17.05.1</b>	Approvals by Type:		
<b>§17.05.100</b>	Partition and Subdivision Final Plat		
<b>17.05.200</b>	<b>Applications and Types of Review Procedures</b>	Add: Type I Administrative procedure for time extension request  1 year extension  standard: no change to: a) original application  b) code or comp plan c) request before original expiration date	no process
<b>Ch. 17.66</b>	<b>TOD District &amp; Corridor</b>		
<b>17.66.070</b>	TOD District Approval Expiration	1 year approval for all applications Remove the Master Plan "10 year" language - Twin Creeks project is substantially built Extension application	1 year for site plan/divisions/building permit/ CUP Master Plan 2 yrs / phase development /total 10 year approval  no process
<b>Ch. 17.68</b>	<b>Plan Unit Development (PUD)</b>		
<b>17.68.50</b>	Preliminary (tentative) approval	1 year approval  Extension application	no specific text - only "within six months" a final is filed no process
<b>17.68.060</b>	Final Development Plan	Final Plan Type II review	Type III review - Not needed since the Plan Com reviewed the project/ granted tentative approval

		1 year approval Extension application Removed	1 year approval no process required the permit number be placed on a map
<b>Ch. 17.72</b>	<b>Site Plan, Landscaping</b>	*Specific to expiration of approval	
17.72.070	Expiration	1 year approval  Type I review as provided by 17.05  Removed reference to CUP findings and conditions	1 year approval - removed the "unless" clause Type III review - Not needed since the Plan Com reviewed the project/ granted approval
<b>Ch. 17.76</b>	<b>Conditional Use Permits</b>		
17.76.060	Expiration	1 year approval Type I review as provided by 17.05  Removed reference to CUP findings and conditions	1 year approval Type III review - Not needed since the Plan Com reviewed the project/ granted approval
<b>Land Partitions and Subdivisions Title 16</b>			
<b>Ch. 16.10</b>	<b>Tentative Plans</b>		
16.10.010	Submission	Number of submitted copies to 3 copies	10 copies
16.10.080	Tentative Approval	1 year approval  Moved §B from 16.12 to 16.10.080(B)	none  was in Final Plats §16.12.060
16.10.100 Section added	Extension	Add: Type I Administrative procedure for time extension request	no process
<b>Ch. 16.12</b>	<b>Final Plats</b>		
16.12.010	Submission	Number of submitted copies to 3 copies	10 copies
16.12.060(B)		moved to 16.10.080	
File No. 11002			
<b>Ch. 17.77</b>	<b>Accessory Dwelling Units</b>		
17.77.040(C)	ADUs	are not required to have a separate water meter	dwelling and ADU required to have own/ separate meter
17.77.060	Permit	Type I administrative review	not specified

## ATTACHMENT A

### Amendment A. 1:

#### Chapter 17.05

#### APPLICATIONS AND TYPES OF REVIEW PROCEDURES

##### Sections:

- 17.05.100 Purpose and applicability of review procedures.
- 17.05.200 Type I procedure (administrative).
- 17.05.300 Type II procedure (administrative).
- 17.05.400 Type III procedure (quasi-judicial).
- 17.05.500 Type IV procedure (legislative).
- 17.05.600 General provisions--One-hundred-twenty-day rule--Time computation--Pre-application conferences--Acceptance and review--Planning official's duties--Amended applications--Resubmittal.
- 17.05.700 Special procedures.
- 17.05.900 Traffic impact analysis.

#### **17.05.100 Purpose and applicability of review procedures.**

A. Purpose. The purpose of this chapter is to establish standard decision-making procedures that will enable the city, the applicant, and the public to review applications and participate in the local decision-making process in a timely and effective way. Table 17.05.1 provides a key for determining the review procedure and the decision-making body for particular approvals.

B. Applicability of Review Procedures. All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in this chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or approval. There are four types of permit/approval procedures: Type I, II, III, and IV. These procedures are described in subsections (B)(1) through (4) of this section. Table 17.05.1 lists all of the city's land use and development approvals and their required review procedure(s).

1. Type I Procedure (Administrative). Type I decisions are made by the community development director or designee without public notice and without a public hearing. The Type I procedure is used when there are clear and objective approval criteria and applying city standards and criteria requires no use of discretion;
2. Type II Procedure (Administrative). Type II decisions involve limited discretion and are made by the community development director or designee with public notice, and an opportunity for a public hearing if appealed. The appeal of a Type II decision is heard by the planning commission, who makes the city's final decision.

3. **Type III Procedure (Quasi-Judicial).** Type III decisions are made by the planning commission after a public hearing, with appeals reviewed by the city council. Type III decisions generally use discretionary approval criteria.
4. **Type IV Procedure (Legislative).** Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations, zone changes, and comprehensive plan amendments that apply to entire districts, rather than just one property). Type IV matters are considered initially by the planning commission with final decisions made by the city council.

**Table 17.05.1 Summary of Approvals by Type of Review Procedure**

<b>Approvals*</b>	<b>Review Procedures</b>	<b>Applicable Regulations</b>
Annexation	Type IV	Chapter 1.20
Code Interpretation	Type II	Chapter 17.11
Code Amendment	Type IV	Chapter 17.10
Comprehensive Plan Text Amendment	Type IV	Chapter 17.96
Conditional Use Permit	Type III	Chapter 17.76
<u>Extension Request</u>	<u>Type I</u>	<u>Chapter 17.05</u>
Home Occupation	Type I	Section 17.60.190
Planned Unit Development	Type III	Chapter 17.68
Modification to Approval		
Minor	Type II	Chapter 17.09
Major	Type III	Chapter 17.09
Plan Amendment or Zone Change		
- Quasi-Judicial	Type III	Section 17.12.030
- Legislative	Type IV	Chapter 17.96
Property Line Adjustments and Lot Consolidations	Type I	



Transit Oriented District/Corridor Review	Type III	Chapter 17.66
Nonconforming Use	Type II	Chapter 17.56
Partition		
Tentative Plan	Type II	Chapter 16.36
Final Plat	Type II I	Chapter 16.12
Land Use Review	Type I	
Site Plan, Landscaping and Construction Plan Review	Type II	Chapter 17.72
Subdivision		
Tentative Plan	Type III	Chapter 16.10
Final Plat	Type II I	Chapter 16.12
Right-of-Way Vacation	Type IV	Section 12.28.020
Tree Removal	Type II	Chapter 12.36
Variance	Type II or III	Chapter 17.13
Zoning, Major	Type III	Chapter 17.13
Zoning, Minor	Type II	Chapter 17.13
Subdivisions, Major	Type III	Chapter 17.13
Subdivisions, Minor	Type II	Chapter 17.13
Conversion Plan Review	Type II	Chapter 16.32
Uncategorized Decision	Type II	

\* An applicant may be required to obtain approvals from other agencies, such as the Oregon Department of Transportation, or Rogue Valley Sewer. The city may notify agencies of applications that may affect their facilities or services.  
(Ord. 1874 §1(part), 2006).

#### **17.05.200 Type I procedure (administrative).**

##### **A. Application Requirements.**

1. Application Forms. Type I applications shall be made on forms provided by the planning department.

2. Application Requirements. Type I applications shall:

- a. Include the information requested on the application form;
- b. Address the criteria in sufficient detail for review and action; and
- c. Be filed with the required fee.

B. Administrative Decision Requirements. The community development director's or designee's decision shall address all of the approval criteria. Based on the criteria and the facts contained within the record, the community development director shall approve or deny the requested permit or action. A written record of the decision shall be provided to the applicant and kept on file at City Hall.

C. Final Decision. A Type I decision is the final decision of the city and may not be appealed further.

D. Effective Date. A Type I decision is final on the date it is made. (Ord. 1874 §1(part), 2006).

E. Extension

The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one year extension of the approval period provided that:

1. No changes are made to the original application as approved by the City;
2. There have been no changes in the Code or Comprehensive Plan provisions on which the approval was based. In the case where the plan conflicts with a code or Comprehensive Plan change, the extension shall be either:
  - a. Denied; or
  - b. At the discretion of the community development director re-reviewed as a modification per Section 17.09.300.
3. The extension request is made before expiration of the original approved plan.
4. If the time limit expired and no extension has been granted, the application shall be void.

**17.05.300 Type II procedure (administrative).**

A. Pre-Application Conference. A pre-application conference is optional for Type II reviews. (Pre-application conference requirements and procedures are found in Section 17.05.600(C).)

**Amendment A. 2:**

**Chapter 17.66**

**APPLICATION REVIEW PROCESS FOR THE TOD DISTRICT AND CORRIDOR**

Sections:

17.66.010 Purpose.

17.66.020 Applicability.

17.66.030 Application and review.

17.66.040 Parks and open spaces.

17.66.050 Application approval criteria.

17.66.060 Conditions of approval.

17.66.070 Approval expiration.

**17.66.070 Approval expiration.**

A. Application approvals granted according to the provisions of this chapter ~~shall be valid for the following time periods, unless a longer time period is specified in the approval.~~

~~1. Master plan—two years for the first phase and ten years for all subsequent phases, if any.~~

~~2. Site plan, landscape plan and construction plan; land division; and conditional use—one year.~~  
shall expire and become void one year from the date on which it was issued unless:

1. An application for extension is filed and approved subject to the requirements of Chapter 17.05, or

2. Building permits for the development have been issued and construction diligently pursued to initiate construction.

~~B. Application approvals shall expire if building permits to initiate construction or final plat approval have not been obtained within the time allowed in Section 17.66.070(A). (Ord. 1815 §1(part), Exh. B(part), 2000).~~

B. If the time limit for development expired and no extension has been granted, the application shall be void.

**Amendment A. 3:**

**Chapter 17.68**

**PLANNED UNIT DEVELOPMENT (PUD)**

**Sections:**

17.68.010 Purpose.

17.68.020 Size of the planned unit development site.

17.68.030 Application and review.

17.68.040 Criteria to grant or deny a PUD.

**17.68.050 Preliminary development plan.**

H. Other pertinent information shall be included as the planning commission finds necessary to determine any appropriate and desirable requirements that may differ from those ordinarily applicable under this title. (Ord. 1615 §68, 1989).

I. A preliminary (tentative) plan approval shall expire and become void one year from the date on which it was issued unless the final development plan has been approved pursuant to Section 17.68.060 or an application for extension is filed and approved subject to the requirements of Chapter 17.05.

J. If the time limit for development expired and no extension has been granted, the tentative PUD plan shall be void.

**17.68.060 Final development plan.**

A. ~~Within six months of~~ Following the approval of the preliminary development plan, the applicant shall file a final development plan with the city, containing in final form the information required in the preliminary plan. The same shall be reviewed ~~by the planning commission and decided by the city council~~ as set forth in Chapter 17.05 of this code. ~~The council may, in its discretion and for a good cause, extend for six months the period for the filing of the final development plan.~~

B. The ~~permit for a PUD~~ final approved development plan shall expire and become void one year from the date on which it was issued unless an application for extension is filed and approved subject to the requirements of Chapter 17.05. The one year shall commence with approval of the final development plan.

~~C. Within thirty days after the granting of a permit from a PUD the permit application file number shall be indicated on the zone map on the lot or lots affected by such permit.~~

~~D.C.~~ The final development plan shall continue to control the planned unit development after it is finished. (Ord. 1631 §2, 1990; Ord. 1615 §69, 1989).

**17.68.070 Control of the PUD during and after completion.**

If the city ~~council~~ finds evidence of a major deviation from the preliminary or final development plan, it shall advise the applicant to submit an application to the planning commission for amendment to the planned unit development pursuant to Chapter 17.09. An amendment shall be considered in the same manner as an original application.

17.68.080 Exceptions to zoning and subdivision titles.

17.68.090 Accessory uses in a planned unit development.

17.68.100 Density bonus.

17.68.110 Common open space.

17.68.120 General conditions.

17.68.130 Residential conditions.

17.68.140 Appeals and permit revocation.

**Amendment A. 4:**

**Chapter 17.72**

**SITE PLAN, LANDSCAPING AND CONSTRUCTION PLAN APPROVAL**

**Sections:**

17.72.010 Purpose.

17.72.020 Site plan approval required.

17.72.021 Application and review.

17.72.030 Information required.

17.72.040 Standards.

17.72.050 Conditions on site plan approval.

17.72.060 Building permit issuance--Plan change.

**17.72.070 Expiration.**

A. A site plan approval shall lapse and become void one year following the date on which it became effective unless, ~~by conditions of the site plan approval, a greater or lesser time is prescribed as a condition of approval, or unless~~ prior to the expiration of one year, a building permit is issued by the building inspector and construction is commenced and diligently pursued toward completion. The community development director ~~planning commission~~ may extend the site plan approval for an additional period of one year, subject to the requirements of Chapter 17.05, Section 17.76.040.

B. If ~~an established~~ the time limit for development expired and no extension has been granted, the site plan approval shall be void. (Ord. 1684 §70, 1993).

17.72.080 Site plan compliance--Certificate of occupancy.

**Amendment A. 5:**

**Chapter 17.76**

**CONDITIONAL USE PERMITS**

Sections:

17.76.010 Purpose.

17.76.011 Application and review.

17.76.020 Information required.

**17.76.040 Findings and conditions.**

The planning commission in granting a conditional use permit shall find as follows:

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,

3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
4. Regulation of points of vehicular ingress and egress,
5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
6. Regulation of signs and their locations,
7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
9. Establish a time period within which the subject land use must be developed,
10. Requirement of a bond or other adequate assurance within a specified period of time,
11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

**17.76.060 Expiration.**

A. A conditional use permit shall lapse and become void one year following the date on which it became effective, unless:

1. By conditions of the conditional use permit, a greater or lesser time is prescribed as a condition of approval;
2. Prior to the expiration of one year, a building permit is issued by the city and construction is commenced and diligently pursued toward completion; or
3. If no building permit is required in the particular case, the conditionally-approved use has been commenced.



B. The ~~planning commission~~ community development director may extend the conditional use permit for an additional period of one year, subject to the requirements of Chapter 17.05 ~~Section 17.76.040~~.

C. If ~~an established~~ the time limit for development expired and no extension has been granted, the conditional use permit shall be void. (Ord. 1684 §73, 1993; Ord. 1436 §2(part), 1981).

17.76.070 Revocation.

17.76.080 Appeal.

17.76.090 Effect.

17.76.110 Mapping.

17.76.120 Change of ownership.

## ATTACHMENT B:

### Amendment B

#### Chapter 16.10

#### TENTATIVE PLANS

##### Sections:

- 16.10.010 Submission of application--Filing fee.
- 16.10.015 Application and review--Fees.
- 16.10.020 Scale.
- 16.10.030 General information.
- 16.10.040 Existing conditions.
- 16.10.050 Additional information.
- 16.10.060 Partial development.
- 16.10.070 Explanatory information.
- 16.10.080 Tentative plan approval.
- 16.10.090 Conditions on tentative plan approval.

##### **16.10.010 Submission of application--Filing fee.**

The applicant shall submit an application and tentative plan together with improvement plans and other supplementary material as may be required to indicate the development plan and shall submit ten copies to the city together with a filing fee defined in the city's adopted planning application fee schedule. The diagrams submitted shall consist of ~~ten~~ three copies at the scale specified in Section 16.10.020 and one copy in an eight-and-one-half-inch by eleven-inch format. (Ord. 1786 §4, 1998; Ord. 1684 §6, 1993; Ord. 1650(part), 1990).

- 16.10.015 Application and review--Fees.
- 16.10.020 Scale.
- 16.10.030 General information
- 16.10.040 Existing conditions
- 16.10.050 Additional information.
- 16.10.060 Partial development.
- 16.10.070 Explanatory information.

##### **16.10.080 Tentative plan approval.**

A. Approval of the tentative plan shall not constitute final acceptance of the final plat of the proposed subdivision or partition for recording; however, approval of the tentative plan shall be binding upon city for the purpose of the approval of the final plat if the final plat is in substantial compliance with the tentative plan and any conditions of approval thereof. ~~The action of the council in approving the tentative plan shall be noted on two copies thereof, including reference to any attached documents describing any conditions. One copy of the tentative plan shall be~~

~~returned to the applicant and the other retained in the city files with a memorandum setting forth the action of the council.~~ (Ord. 1650(part), 1990).

A tentative plan approval shall expire and become void one year from the date on which it was issued unless the final plat has been approved pursuant to Chapter 16.12 or an application for extension is filed and approved subject to the requirements of Sections 16.10.100 and Chapter 17.05.

B. When it is the intent to develop a tentative plan and record a final plat in phases, the city, at the time of tentative plan approval, may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without review of the tentative plan for compliance with the current code and comprehensive plan. Each phase so platted shall conform to the applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter.

16.10.090 Conditions on tentative plan approval.

#### **16.10.100 Extension**

A. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one year extension of the approval period provided that:

1. No changes are made to the original plan application as approved by the City;
2. There have been no changes in the Code or Comprehensive Plan provisions on which the approval was based. In the case where the plan conflicts with a code or plan change, the extension shall be either:
  - a. Denied; or
  - b. At the discretion of the community development director re-reviewed as a modification per Section 17.09.300.
3. The extension request is made before expiration of the original approved plan.

B. If the time limit expired and no extension has been granted, the tentative plan shall be void.

## **Amendment B. 1:**

### **Chapter 16.12**

#### **FINAL PLATS**

##### Sections:

- 16.12.010 Submission--Procedure.
- 16.12.020 Submission--Fees.
- 16.12.030 Information required.
- 16.12.040 Supplemental information.
- 16.12.050 Staff review.
- 16.12.060 Final plat approval.
- 16.12.070 Agreement for improvements.
- 16.12.080 Bond.
- 16.12.090 Filing.

##### **16.12.010 Submission--Procedure.**

Within one year after approval of the tentative plan, the applicant shall cause the subdivision to be surveyed and a final plat prepared and approved in conformance with the approved tentative plan, ~~as approved~~. The applicant shall submit the final plat as required by state law and this title, ~~ten~~ three prints thereof, one eight-and-one-half-inch by eleven-inch reduction thereof, and any supplementary information, including any proposed separate document imposing further land use restrictions in the area. (Ord. 1684 §8, 1993; Ord. 1650(part), 1990).

- 16.12.020 Submission--Fees.
- 16.12.030 Information required.
- 16.12.040 Supplemental information.
- 16.12.050 Staff review.

##### **16.12.060 Final plat approval.**

A. Review and approval or denial of final plats shall be made by city staff, ~~unless staff, in its discretion, refers the application to the planning commission for decision~~. Final plat approval shall be evidenced by signature of an authorized city representative on the original plat. The approval of the final plat by the city shall not be deemed to constitute or effect an acceptance for maintenance responsibility of any street or easement or way shown on the final plat.

*(Moved to: Tentative plan approval Section 16.10.080 (B))*

~~B. When it is the intent to record a final plat and develop a tentative plan land division in phases, city staff may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without having to resubmit the tentative plan. Each phase so platted shall conform to the~~

~~applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter. (Ord. 1778 §1, 1997; Ord. 1739 §3, 1996; Ord. 1684 §9, 1993; Ord. 1650 (part), 1990).~~

16.12.070 Agreement for improvements.

16.12.080 Bond.

16.12.090 Filing.

**FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW  
File No: 11001**

**INTRODUCTION**

Consideration of a text amendment to sections of Title 16 and Title 17 of the Central Point Municipal Code to provide uniform land development approval expiration dates and a process for review of time extension request.

These findings are prepared in four (4) parts to address the statewide planning goals, the applicable elements of City's Comprehensive Plan, public facilities and the Transportation Planning Rule as required by CPMC 17.05.500 and 17.10.600.

**PART 1 CPMC LEGISLATIVE AMENDMENT**

**17.10.200 Legislative amendments.**

*Legislative amendments are policy decisions made by city council. They are reviewed using the Type IV procedure in Section 17.05.500 and shall conform to the statewide planning goals, the Central Point comprehensive plan, the Central Point zoning ordinance and the transportation planning rule provisions in Section 17.10.600, as applicable.*

**Finding:** The City of Central Point Planning Commission directed staff to prepare code amendments to resolve the inconsistencies concerning expiration dates for land use applications and to provide an extension request process. a text amendment of the Central Point Municipal Code. These amendments are reviewed as a Legislative amendment using the Type IV procedure in conformance with Section 17.10.200.

**Conclusion:** A text amendment is reviewed as a Type IV, Legislative decision.

**17.05.500 Type IV procedure (legislative).**

*G. Decision-Making Criteria. The recommendation by the planning commission and the decision by the city council shall be based on the following factors:*

- 1. Whether the request is consistent with the applicable statewide planning goals;*
- 2. Whether the request is consistent with the comprehensive plan; and*
- 3. If the proposed legislative change is particular to a particular site, the property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

## **PART 2 STATEWIDE PLANNING GOALS:**

**17.05.500 G. 1.** *Whether the request is consistent with the applicable statewide planning goals;*

**GOAL 1. CITIZEN INVOLVEMENT** - *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

**Finding, Goal 1:** The proposed text amendment does not enhance, or detract, from citizen participation in the City's planning process. A duly noticed public hearing is scheduled for October 5, 2010 to review the proposed text amendment.

**Conclusion, Goal 1:** Consistent.

**GOAL 2. LAND USE PLANNING** - *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Finding Goal 2:** Element I of the Central Point Comprehensive Plan addresses the Goal 2 requirement that plans and implementing ordinances be revised on a periodic cycle to take into account changing public policies, community attitudes and other circumstances; as such the proposed code amendment provides a process and policy framework as a basis for land use decisions.

**Finding Goal 2:** The proposed text amendment is in accordance with CPMC Section 17.10.200 and therefore does not modify or otherwise affect the City's planning process as set forth in the Comprehensive Plan. The proposed text amendment serves to clarify current code language by providing clear and measurable standards.

**Conclusion Goal 2:** Consistent.

**Goal 3. AGRICULTURAL LANDS** - *To preserve and maintain agricultural lands.*

**Finding Goal 3:** The proposed text amendment does not involve, or otherwise affect lands designated for agricultural use.

**Conclusion Goal 3:** Not applicable.

**Goal 4. FOREST LANDS** - *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

**Finding, Goal 4:** The proposed text amendment does not involve, or otherwise affect lands designated for forest use.

**Conclusion, Goal 4:** Not applicable.

**GOAL 5. OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES** - *To protect natural resources and conserve scenic and historic areas and open spaces.*

**Finding Goal 5:** The proposed text amendment does not involve, or otherwise affect lands designated as natural, scenic, or historic resources.

**Conclusion Goal 5:** Not applicable.

**GOAL 6 AIR, WATER, AND LAND RESOURCES QUALITY** - *To maintain and improve the quality of the air, water and land resources of the state.*

**Finding Goal 6:** The proposed text amendment does not involve, or otherwise affect regulations managing the quality of air, water and land resources.

**Conclusion Goal 6:** Not applicable.

**GOAL 7. AREAS SUBJECT TO NATURAL HAZARDS AND DISASTERS** - *To protect people and property from natural hazards.*

**Finding Goal 7:** The proposed text amendment does not involve, or otherwise affect regulations protecting the citizens of Central Point from natural hazards

**Conclusion Goal 7:** Consistent.

**GOAL 8. RECREATION NEEDS** - *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Finding Goal 8:** The proposed text amendment does not involve, or otherwise affect the City's provision of necessary recreational facilities.

**Conclusion Goal 8:** Not applicable.



**GOAL 9. ECONOMY OF THE STATE** – *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Finding Goal 9:** The proposed text amendment does not alter the City's provision of adequate economic opportunities. The proposed text amendment serves to clarify current code language by providing clear and measurable standards specifically for the submission and review of time extension requests of land use applications.

**Conclusion Goal 9:** Consistent.

**GOAL 10. HOUSING** - *To provide for the housing needs of citizens of the state.*

**Finding Goal 10:** The proposed text amendment does not involve, or otherwise affect regulations and development standards that address the City's housing needs.

**Conclusion Goal 10:** Consistent.

**GOAL 11. PUBLIC FACILITIES AND SERVICES** - *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Finding Goal 11:** The proposed text amendment does not involve, or otherwise affect the City's provision of timely, orderly and efficient public facilities and services. The proposed text amendment does not cause an increase in the demand for public facilities and services not already available within the City.

**Finding Goal 11:** The text amendment to Section 17.77, Accessory Dwelling Units provides for conformity to the recent amendment to the Public Works Department water regulation, Section 13.04.100 to allow one water meter to serve both the primary dwelling and the accessory dwelling unit.

**Conclusion Goal 11:** Consistent.

**GOAL 12. TRANSPORTATION** - *To provide and encourage a safe, convenient and economic transportation system.*

**Finding Goal 12:** The proposed text amendment does not involve, or otherwise affect the City of Central Point Transportation System Plan or modify CPMC Section 17.05.900, Traffic impact analysis.

**Conclusion Goal 12:** Consistent.

**GOAL 13 ENERGY** - *To conserve energy.*

**Finding Goal 13:** The proposed text amendment does not involve, or otherwise affect and development standards or regulations that address conservation of energy.

**Conclusion Goal 13:** Not applicable.

**GOAL 14. URBANIZATION** - *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Finding Goal 14:** The proposed text amendment does not involve, or otherwise affect, regulations addressing and regulating the transition from rural to urban lands.

**Conclusion Goal 14:** Not applicable.

**GOAL 15. WILLAMETTE GREENWAY** - *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

**Finding Goal 15:** The proposed text amendment does not involve, or otherwise affect the Willamette River or Willamette River Greenway.

**Conclusion Goal 15:** Not applicable.

**GOAL 16. ESTUARINE RESOURCES** - *To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

**Finding Goal 16:** The proposed text amendment does not involve, or otherwise affect estuaries and associated wetlands.

**Conclusion Goal 16:** Not applicable.

**GOAL 17. COASTAL SHORELANDS** - *To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.*

**Finding Goal 17:** The proposed text amendment does not involve, or otherwise affect coastal shorelands.

**Conclusion Goal 17:** Not applicable.

**GOAL 18. BEACHES AND DUNES** - *To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

**Finding Goal 18:** The proposed text amendment does not involve, or otherwise affect coastal beach or dune areas.

**Conclusion Goal 18:** Not applicable.

**GOAL 19. OCEAN RESOURCES** - *To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*

**Finding Goal 19:** The City of Central Point is not adjacent to, or near the ocean. The proposed text amendment does not involve, or otherwise affect marine resources and marine ecological functions.

**Conclusion Goal 19:** Not applicable.

### **PART 3 CITY OF CENTRAL POINT COMPREHENSIVE PLAN**

**17.05.500 (G) (2)(m)** *The request is consistent with the Central Point comprehensive plan;*

**Finding:** The amendments are consistent with the comprehensive plan and serve to clarify current code language by providing clear and measurable standards by the uniform one year expiration date of approved land use applications and to provide an extension time request procedure as a Type I, Administrative review.

**Finding:** Correction of a clerical or typographic error, Section 17.05.1 Table Summary of Approvals by Type: Subdivision Final Plat, should read Type I review as provided by 16.12.060. This correction is consistent with CPMC Section 17.10.100.

**Conclusion:** Consistent

#### **1. Transportation**

**Finding:** The City of Central Point Transportation System Plan 2030 (TSP) replaces Chapter XI, Circulation/Transportation of the Comprehensive Plan. The TSP provides an inventory of the City's existing transportation system, including street standards. This element of the Comprehensive Plan addresses Statewide Planning Goal 12, Transportation.

**Finding:** The proposed text amendment will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities.

**Conclusion:** Consistent

## PART 4 TRANSPORTATION PLANNING RULE

### 17.10.600 Transportation planning rule compliance.

*Section 660-012-0060(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- a) Change the functional classification of an existing or planned transportation facility;*
- b) Change standards implementing a functional classification system; or*
- c) As measured at the end of the planning period identified in the adopted transportation system plan:*
  - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

**Finding 660-012-0060(1)(a):** The proposed text amendment serves to provide clear and measurable code standards while resolving the current nebulous language. The proposed text amendment will not cause any changes to the functional classification of any existing or planned transportation facilities.

**Conclusion 660-012-0060(1)(a):** No significant affect.

**Finding 660-012-0060(1)(b):** The proposed text amendment does not modify any existing land use regulations. The proposed text amendment will not cause a change to standards implementing the City's transportation system.

**Conclusion 660-012-0060(1)(b):** No significant affect.

**Finding 660-012-0060(1)(c)(A):** The proposed text amendment will not cause an increase in land uses that would result in levels of travel or access that would be

inconsistent with the City's functional street classification system for existing and planned transportation facilities.

**Conclusion 660-012-0060(1)(c)(A):** No significant affect.

**Finding 660-012-0060(1)(c)(B):** The proposed text amendment will not cause a reduction in the performance of any existing or planned transportation facilities below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.

**Conclusion 660-012-0060(1)(c)(B):** No significant affect.

**Finding 660-012-0060(1)(c)(C):** The proposed text amendment will not cause the worsening of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.

**Conclusion 660-012-0060(1)(c)(C):** No significant affect.

**Summary Conclusion:** As proposed, the text amendment is in conformance with the acknowledged Comprehensive Plan, Transportation System Plan and Central Point Municipal Code.

PLANNING COMMISSION RESOLUTION NO. 773

**A RESOLUTION OF THE PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO CONSIDER AMENDMENTS TO THE MUNICIPAL CODE TITLE 16, SECTIONS 16.10 TENTATIVE PLANS; 16.12 FINAL PLATS; TITLE 17 SECTIONS 17.05 APPLICATIONS AND TYPES OF REVIEW; 17.66 APPLICATION REVIEW PROCESS FOR THE TOD DISTRICT AND CORRIDOR; 17.68 PLANNED UNIT DEVELOPMENT (PUD); 17.72 SITE PLAN, LANDSCAPING AND CONSTRUCTION PLAN, AND 17.76 CONDITIONAL USE PERMITS**

(File No: 11001)

**WHEREAS**, on October 5, 2010, the Planning Commission of the City of Central Point, in a public hearing declared the need to amend Sections 16.10 Tentative Plans, 16.12 Final Plats; 17.05 Applications and Types of Review; 17.66 Application Review Process for the TOD District and Corridor, 17.68 Planned Unit Development (PUD); 17.72 Site Plan, Landscaping and Construction Plan, and 17.76 Conditional Use Permits and determined that the amendments as proposed were in the public interest and that the general welfare of the public will benefit by the proposed amendment; and

**WHEREAS**, on October 5, 2010 the Planning Commission, held a public hearing to consider public testimony on the proposed amendments; and

**WHEREAS**, after reviewing the requested proposal and considering public testimony it is the determination of the Planning Commission that the proposed amendments as set forth in Planning Department Staff Report (Exhibit "A") dated October 5, 2010 are minor adjustments that do not alter, or otherwise modify the uses and character of development and land use within the City of Central Point, and is therefore determined to be consistent with all of the goals, objectives, and policies of the City's Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Central Point, Oregon that the amendments as set forth in Exhibit "A" be forwarded to the City Council with a recommendation that the City Council favorably consider amending the City of Central Point Municipal Code as specifically set forth in the attached Exhibit "A".

Passed by the Planning Commission and signed by me in authentication of its passage this 5<sup>th</sup> day of October, 2010.

Charles E. Pelton  
Planning Commission Chair

ATTEST:

Ridi Thomas  
City Representative

Approved by me this 5<sup>th</sup> day of October, 2010.

Charles E. Pelton  
Planning Commission Chair

Planning Commission Resolution No. 773 (10/5/2010)

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTERS 16.10 TENTATIVE PLANS; 16.12 FINAL PLATS; CHAPTERS 17.05 APPLICATIONS AND TYPES OF REVIEW; 17.66 APPLICATION REVIEW PROCESS FOR THE TOD DISTRICT AND CORRIDOR; 17.68 PLANNED UNIT DEVELOPMENT (PUD); 17.72 SITE PLAN, LANDSCAPING AND CONSTRUCTION PLAN, AND 17.76 CONDITIONAL USE PERMITS OF THE CENTRAL POINT MUNICIPAL CODE TO PROVIDE UNIFORM LAND DEVELOPMENT APPROVAL EXPIRATION DATES AND A PROCESS FOR REVIEW OF TIME EXTENSION REQUESTS.**

**RECITALS:**

A. Pursuant to the requirements set forth in CPMC Sections 17.05 and 17.10, the City has conducted the following duly advertised public hearings to consider proposed amendments:

1. Planning Commission hearing on October 5, 2010.
2. City Council hearing on October 28, 2010.

B. At the public hearing on October 28, 2010, the City Council reviewed the staff report, received the findings of the Central Point Planning Commission, and received public testimony from all interested persons. Based upon all of the information received, the City Council adopts the findings and conclusions set forth in the staff report dated October 28, 2010, and based upon the same, the City Council finds that there is sufficient public need and justification for the proposed text amendments.

C. The City Administrator is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the changes to the municipal code.

D. Words ~~lined through~~ in the following ordinance are to be deleted and words **in bold** are added.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

Section 1. Table 17.05.1 in Section 17.05.100 of the Central Point Municipal Code is amended by adding a row after Conditional Use Permit that reads “Extension Request” in the Approvals column, “Type I” in the Review Procedures column and “Chapter 17.05” in the Applicable Regulations column.

<b>Extension Request</b>	<b>Type I</b>	<b>Chapter 17.05</b>
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Section 2. Table 17.05.1 in Section 17.05.100 of the Central Point Municipal Code is amended by changing “Type II” to “Type I” for a Final Plat in the row above Land Use Review.

1 – Ordinance No. \_\_\_\_\_



Final Plat	Type II I	Chapter 16.12
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Section 3. Table 17.05.1 in Section 17.05.100 of the Central Point Municipal Code is amended by changing "Type II" to "Type I" for a Final Plat in the row above Right of Way Vacation.

Final Plat	Type II-I	Chapter 16.12
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Section 4. Subsections E is added to Section 17.05.200 of the Central Point Municipal Code:

**E. Extension. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one year extension of the approval period provided that:**

- 1. No changes are made to the original application as approved by the City;**
- 2. There have been no changes in the Code or Comprehensive Plan provisions on which the approval was based. In the case where the plan conflicts with a code or Comprehensive Plan change, the extension shall be either:**
  - a. Denied; or**
  - b. At the discretion of the community development director re-reviewed as a modification per Section 17.09.300.**
- 3. The extension request is made before expiration of the original approved plan.**
- 4. If the time limit expired and no extension has been granted, the application shall be void.**

Section 5. Section 17.66.070 of the Central Point Municipal Code is amended to read:

17.66.070 Approval expiration.

A. Application approvals granted according to the provisions of this chapter ~~shall be valid for the following time periods, unless a longer time period is specified in the approval:~~

~~1. Master plan two years for the first phase and ten years for all subsequent phases, if any.~~

~~2. Site plan, landscape plan and construction plan; land division; and conditional use one year.~~  
shall expire and become void one year from the date on which it was issued unless:

- 1. An application for extension is filed and approved subject to the requirements of Chapter 17.05, or**
- 2. Building permits for the development have been issued and construction diligently pursued to initiate construction.**

~~B. Application approvals shall expire if building permits to initiate construction or final plat approval have not been obtained within the time allowed in Section 17.66.070(A). (Ord. 1815 §1(part), Exh. B(part), 2000).~~

**B. If the time limit for development expired and no extension has been granted, the application shall be void.**

Section 6. Subsections I and J are added to Section 17.68.050 of the Central Point Municipal Code:

**I. A preliminary (tentative) plan approval shall expire and become void one year from the date on which it was issued unless the final development plan has been approved pursuant to Section 17.68.060 or an application for extension is filed and approved subject to the requirements of Section 17.05.**

**J. If the time limit for development expired and no extension has been granted, the tentative PUD plan shall be void.**

Section 7. Section 17.68.060 of the Central Point Municipal Code is amended to read:

17.68.060 Final development plan.

~~A. Within six months following the approval of the preliminary development plan, the applicant shall file a final development plan with the city, containing in final form the information required in the preliminary plan. The same shall be reviewed by the planning commission and decided by the city council as set forth in Chapter 17.05 of this code. The council may, in its discretion and for a good cause, extend for six months the period for the filing of the final development plan.~~

**B. The permit for a PUD final approved development plan shall expire and become void one year from the date on which it was issued unless an application for extension is filed and approved subject to the requirements of Chapter 17.05. The one year shall commence with approval of the final development plan.**

~~C. Within thirty days after the granting of a permit from a PUD the permit application file number shall be indicated on the zone map on the lot or lots affected by such permit.~~

~~D.C.~~ **The final development plan shall continue to control the planned unit development after it is finished. (Ord. 1631 §2, 1990; Ord. 1615 §69, 1989).**

Section 8. Section 17.68.070 of the Central Point Municipal Code is amended to read:

17.68.070 Control of the PUD during and after completion.

If the city council finds evidence of a major deviation from the preliminary or final development plan, it shall advise the applicant to submit an application to the planning commission for amendment to the planned unit development **pursuant to Chapter 17.09.**

3 – Ordinance No. \_\_\_\_\_

An amendment shall be considered in the same manner as an original application.

Section 9. Subsection A and B of Section 17.72.070 of the Central Point Municipal Code is amended to read:

17.72.070 Expiration.

A. A site plan approval shall lapse and become void one year following the date on which it became effective unless, ~~by conditions of the site plan approval, a greater or lesser time is prescribed as a condition of approval, or unless~~ prior to the expiration of one year, a building permit is issued by the building inspector and construction is commenced and diligently pursued toward completion. The **community development director** ~~planning commission~~ may extend the site plan approval for an additional period of one year, subject to the requirements of **Chapter 17.05**. ~~Section 17.76.040.~~

B. If ~~an established~~ the time limit for development expired and no extension has been granted, the site plan approval shall be void. (Ord. 1684 §70, 1993).

Section 10. Subsections B and C of Section 17.76.060 of the Central Point Municipal Code is amended to read:

17.76.060 Expiration.

B. The ~~planning commission~~ **community development director** may extend the conditional use permit for an additional period of one year, subject to the requirements of **Chapter 17.05**. ~~Section 17.76.040.~~

C. If ~~an established~~ the time limit for development expired and no extension has been granted, the conditional use permit shall be void. (Ord. 1684 §73, 1993; Ord. 1436 §2(part), 1981).

Section 11. Section 16.10.010 of the Central Point Municipal Code is amended to read:

16.10.010 Submission of application--Filing fee.

The applicant shall submit an application and tentative plan together with improvement plans and other supplementary material as may be required to indicate the development plan and shall submit ten copies to the city together with a filing fee defined in the city's adopted planning application fee schedule. The diagrams submitted shall consist of ~~ten~~ **three** copies at the scale specified in Section 16.10.020 and one copy in an eight-and-one-half-inch by eleven-inch format. (Ord. 1786 §4, 1998; Ord. 1684 §6, 1993; Ord. 1650(part), 1990).

Section 12. Section 16.10.080 of the Central Point Municipal Code is amended to read:

16.10.080 Tentative plan approval.

A. Approval of the tentative plan shall not constitute final acceptance of the final plat of the proposed subdivision or partition for recording; however, approval of the tentative plan shall be binding upon city for the purpose of the approval of the final plat if the final plat is in

4 – Ordinance No. \_\_\_\_\_

substantial compliance with the tentative plan and any conditions of approval thereof. ~~The action of the council in approving the tentative plan shall be noted on two copies thereof, including reference to any attached documents describing any conditions. One copy of the tentative plan shall be returned to the applicant and the other retained in the city files with a memorandum setting forth the action of the council.~~ (Ord. 1650(part), 1990). **A tentative plan approval shall expire and become void one year from the date on which it was issued unless the final plat has been approved pursuant to Chapter 16.12 or an application for extension is filed and approved subject to the requirements of Sections 16.10.100 and Chapter 17.05.**

**B. When it is the intent to develop a tentative plan and record a final plat in phases, the city, at the time of tentative plan approval, may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without review of the tentative plan for compliance with the current code and comprehensive plan. Each phase so platted shall conform to the applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter.**

Section 13. The following Section 16.10.100 is added to the Central Point Municipal Code:

**16.10.100 Extension**

**A. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one year extension of the approval period provided that:**

- 1. No changes are made to the original plan application as approved by the City;**
- 2. There have been no changes in the Code or Comprehensive Plan provisions on which the approval was based. In the case where the plan conflicts with a code or plan change, the extension shall be either:**
  - a. Denied; or**
  - b. At the discretion of the community development director re-reviewed as a modification per Section 17.09.300.**

- 3. The extension request is made before expiration of the original approved plan.**

**B. If the time limit expired and no extension has been granted, the tentative plan shall be void.**

Section 14. Section 16.12.010 of the Central Point Municipal Code is amended to read:

5 – Ordinance No. \_\_\_\_\_

16.12.010 Submission--Procedure.

Within one year after approval of the tentative plan, the applicant shall cause the subdivision to be surveyed and a final plat prepared **and approved** in conformance with the **approved** tentative plan. ~~as approved.~~ The applicant shall submit the final plat as required by state law and this title, ~~ten~~ **three** prints thereof, one eight-and-one-half-inch by eleven-inch reduction thereof, and any supplementary information, including any proposed separate document imposing further land use restrictions in the area. (Ord. 1684 §8, 1993; Ord. 1650(part), 1990).

Section 15. Section 16.12.060 of the Central Point Municipal Code is amended to read:

16.12.060 Final plat approval.

A. Review and approval or denial of final plats shall be made by city staff, ~~unless staff, in its discretion, refers the application to the planning commission for decision.~~ Final plat approval shall be evidenced by signature of an authorized city representative on the original plat. The approval of the final plat by the city shall not be deemed to constitute or effect an acceptance for maintenance responsibility of any street or easement or way shown on the final plat.

~~B. When it is the intent to record a final plat and develop a tentative plan land division in phases, city staff may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without having to resubmit the tentative plan. Each phase so platted shall conform to the applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter. (Ord. 1778 §1, 1997; Ord. 1739 §3, 1996; Ord. 1684 §9, 1993; Ord. 1650 (part), 1990).~~

**PASSED** by the City Council and signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

\_\_\_\_\_  
City Representative

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Hank Williams

6 – Ordinance No. \_\_\_\_\_